

Alabama Department of Environmental Management adem.alabama.gov

March 08,2018

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Mr. Timothy G. Mullendore Vice President Midsouth Paving, Inc. dba Midsouth Aggregates Riverhills Park, Suite 590 Birmingham, Alabama 35242

RE: Draft Permit Tarrant Quarry

> NPDES Permit No. AL0055280 Jefferson County (073)

Dear Mr. Mullendore:

Transmitted herein is a draft of the above referenced permit. Please review the enclosed draft permit carefully. This draft permit may contain additions/revisions to language in your current permit. Please submit any comments on the draft permit to the Department within 30 days from the date of receipt of this letter.

Since the Department has made a tentative decision to issue the above referenced permit, ADEM Admin. Code r. 335-6-6-.21 requires a public notice of the draft permit followed by a period of at least 30 days for public comment before the permit can be reissued.

The United States Environmental Protection Agency will also receive the draft permit for review during the 30-day public comment period.

Any mining, processing, construction, land disturbance, or other regulated activity proposed to be authorized by this draft permit is prohibited prior to the effective date of the formal permit. Any mining or processing activity within the drainage basin associated with each permitted outfall which is conducted prior to Departmental receipt of certification from a professional engineer licensed to practice in the State of Alabama, that the Pollution Abatement/Prevention Plan was implemented according to the design plan, or notification from the Alabama Surface Mining Commission that the sediment control structures have been certified, is prohibited.

Should you have any questions concerning this matter, please contact this office by email at cmcneill@adem.alabama.gov or by phone at (334) 271-7835.

Sincerely.

Catherine A. McNeill, Chief Mining and Natural Resource Section Stormwater Management Branch Water Division

CAM/mtb File: DPER/11446

Enclosure

Birmingham Branch

(205) 941-1603 (FAX)

110 Vulcan Road

(205) 942-6168

cc: Environmental Protection Agency Region IV Alabama Department of Conservation and Natural Resources U.S. Fish and Wildlife Service Alabama Historical Commission Advisory Council on Historic Preservation





NATIONAL POLLUTANT **DISCHARGE ELIMINATION** SYSTEM INDIVIDUAL PERMIT

PERMITTEE:

Midsouth Paving, Inc. dba Midsouth Aggregates

500 Riverhills Park, Suite 590 Birmingham, AL 35242

FACILITY LOCATION:

Tarrant Quarry 2475 Seaboard Road Birmingham, AL 35217 Jefferson County T17S R2W S6 and S7

PERMIT NUMBER:

AL0055280

DSN RECEIVING STREAM 001-1 Five Mile Creek

002-1 Five Mile Creek

In accordance with and subject to the provisions of the Federal Water Pollution Control Act, as amended, 33 U.S.C. \$\$1251-1388 (the "FWPCA"), the Alabama Water Pollution Control Act, as amended, Code of Alabama 1975, 🐧 22-22-1 to 22-22-14 (the "AWPCA"), the Alabama Environmental Management Act, as amended, Code of Alabama 1975, \$\infty 22-22\textit{A-11}, to 22-22\textit{A-17}, and rules and regulations adopted thereunder, and subject further

to the terms and conditions set forth in this permit, the Permittee is hereby authorized to discharge into the above-named receiving waters. **ISSUANCE DATE:**

EXPIRATION DATE:

EFFECTIVE DATE:

DRAFT

Alabama Department of Environmental Management

MINING AND NATURAL RESOURCE SECTION NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT

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PART I DISCHARGE LIMITATIONS, CONDITIONS, AND REQUIREMENTS

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this Permit and lasting through the expiration date of this Permit, the Permittee is authorized to discharge from each point source identified on Page 1 of this Permit and described more fully in the Permittee's application, if the outfalls have been constructed and certified. Discharges shall be limited and monitored by the Permittee as specified below:

Davisanta	Discharge Limitations			Monitoring Requirements	
Parameter	Daily Minimum	Monthly Average	Daily Maximum	Sample Type	Measurement Frequency ¹
pFI 00400	6.0 s.u.		8.5 s.u.	Grab	2/Month
Solids, Total Suspended 00530		25.0 mg/L	45.0 mg/L	Grab	2/Month
Flow, In Conduit or Thru Treatment Plant ² 50050		Report MGD	Report MGD	Instantaneous	2/Month

B. REQUIREMENTS TO ACTIVATE A PROPOSED MINING OUTFALL

- Discharge from any point source identified on Page 1 of this Permit which is a proposed outfall is not authorized by this Permit until the outfall has been constructed and certification received by the Department from a professional engineer, registered in the State of Alabama, certifying that such facility has been constructed according to good engineering practices and in accordance with the Pollution Abatement and/or Prevention (PAP) Plan.
- 2. Certification required by Part 1.B.1. shall be submitted on a completed ADEM Form 432. The certification shall include the latitude and longitude of the constructed and certified outfall.
- Discharge monitoring and Discharge Monitoring Report (DMR) reporting requirements described in Part I.C. of this Permit do not apply to point sources that have not been constructed and certified.
- 4. Upon submittal of the certification required by Part I.B.1. to the Department, all monitoring and DMR submittal requirements shall apply to the constructed and certified outfall.

See Part I C 2 for further measurement frequency requirements.

Flow must be determined at the time of sample collection by direct measurement, calculation, or other method acceptable to the Department

C. DISCHARGE MONITORING AND RECORD KEEPING REQUIREMENTS

1. Sampling Schedule and Frequency

- a. The Permittee shall collect at least one grab sample of the discharge to surface waters from each constructed and certified point source identified on Page 1 of this Permit and described more fully in the Permittee's application twice per month at a rate of at least every other week if a discharge occurs at any time during the two week period, but need not collect more than two samples per calendar month. Each sample collected shall be analyzed for each parameter specified in Part I.A. of this Permit.
- b. If the final effluent is pumped in order to discharge (e.g. from incised ponds, old highwall cuts, old pit areas or depressions, etc.), the Permittee shall collect at least one grab sample of the discharge from each point source identified on Page 1 of this Permit and described more fully in the Permittee's application each quarterly (three month) monitoring period if a discharge occurs at any time during the quarterly monitoring period which results from direct pumped drainage. Each sample collected shall be analyzed for each parameter specified in Part I.A. of this Permit.
- c. The Permittee may increase the frequency of sampling listed in Parts I.C.1.a and I.C.1.b; however, all sampling results must be reported to the Department and included in any calculated results submitted to the Department in accordance with this Permit.

2. Measurement Frequency

Measurement frequency requirements found in Part I.A. shall mean:

- a. A measurement frequency of one day per week shall mean sample collection on any day of discharge which occurs every calendar week.
- b. A measurement frequency of two days per month shall mean sample collection on any day of discharge which occurs every other week, but need not exceed two sample days per month.
- c. A measurement frequency of one day per month shall mean sample collection on any day of discharge which occurs during each calendar month.
- d. A measurement frequency of one day per quarter shall mean sample collection on any day of discharge which occurs during each calendar quarter.
- e. A measurement frequency of one day per six months shall mean sample collection on any day of discharge which occurs during the period of January through June and during the period of July through December.
- f. A measurement frequency of one day per year shall mean sample collection on any day of discharge which occurs during each calendar year.

3. Monitoring Schedule

The Permittee shall conduct the monitoring required by Part I.A. in accordance with the following schedule:

- a. MONITORING REQUIRED MORE FREQUENTLY THAN MONTHLY AND MONTHLY shall be conducted during the first full month following the effective date of coverage under this Permit and every month thereafter. More frequently than monthly and monthly monitoring may be done anytime during the month, unless restricted elsewhere in this Permit, but the results should be reported on the last Discharge Monitoring Report (DMR) due for the quarter (i.e., with the March, June, September, and December DMRs).
- b. QUARTERLY MONITORING shall be conducted at least once during each calendar quarter. Calendar quarters are the periods of January through March, April through June, July through September, and October through December. The Permittee shall conduct the quarterly monitoring during the first complete calendar quarter following the effective date of this Permit and is then required to monitor once during each quarter thereafter. Quarterly monitoring may be done anytime during the quarter, unless restricted elsewhere in this Permit, but the results should be reported on the last DMR due for the quarter (i.e., with the March, June, September, and December DMRs).
- c. SEMIANNUAL MONITORING shall be conducted at least once during the period of January through June and at least once during the period of July through December. The Permittee shall conduct the semiannual monitoring during the first complete semiannual calendar period following the effective date of this Permit and is then required to monitor once during each semiannual period thereafter. Semiannual monitoring may be done anytime during the semiannual period, unless restricted elsewhere in this Permit, but it should be reported on the last DMR due for the month of the semiannual period (i.e., with the June and December DMRs).
- d. ANNUAL MONITORING shall be conducted at least once during the period of January through December. The Permittee shall conduct the annual monitoring during the first complete calendar annual period following the effective date of this Permit and is then required to monitor once during each annual period thereafter. Annual monitoring may be done anytime during the year, unless restricted elsewhere in this Permit, but it should be reported on the December DMR.

4. Sampling Location

Unless restricted elsewhere in this Permit, samples collected to comply with the monitoring requirements specified in Part I.A. shall be collected at the nearest accessible location just prior to discharge and after final treatment, or at an alternate location approved in writing by the Department.

5. Representative Sampling

Sample collection and measurement actions taken as required herein shall be representative of the volume and nature of the monitored discharge and shall be in accordance with the provisions of this Permit.

6. Test Procedures

For the purpose of reporting and compliance, Permittees shall use one of the following procedures:

a. For parameters with an EPA established Minimum Level (ML), report the measured value if the analytical result is at or above the ML and report "0" for values below the ML. Test procedures for the analysis of pollutants shall conform to 40 CFR Part 136, guidelines published pursuant to Section 304(h) of the FWPCA, 33 U.S.C. Section 1314(h), and ADEM Standard Operating Procedures. If more than one method for analysis of a substance is approved for use, a method having a minimum level lower than

the permit limit shall be used. If the minimum level of all methods is higher than the permit limit, the method having the lowest minimum level shall be used and a report of less than the minimum level shall be reported as zero and will constitute compliance, however should EPA approve a method with a lower minimum level during the term of this Permit the Permittee shall use the newly approved method.

b. For pollutant parameters without an established ML, an interim ML may be utilized. The interim ML shall be calculated as 3.18 times the Method Detection Level (MDL) calculated pursuant to 40 CFR Part 136, Appendix B.

Permittees may develop an effluent matrix-specific ML, where an effluent matrix prevents attainment of the established ML. However, a matrix specific ML shall be based upon proper laboratory method and technique. Matrix-specific MLs must be approved by the Department, and may be developed by the Permittee during permit issuance, reissuance, modification, or during compliance schedule.

In either case the measured value should be reported if the analytical result is at or above the ML and "0" reported for values below the ML.

c. For parameters without an EPA established ML, interim ML, or matrix-specific ML, a report of less than the detection limit shall constitute compliance if the detection limit of all analytical methods is higher than the permit limit using the most sensitive EPA approved method. For the purpose of calculating a monthly average, "0" shall be used for values reported less than the detection limit.

The Minimum Level utilized for procedures identified in Parts I.C.6.a. and b. shall be reported on the Permittee's DMR. When an EPA approved test procedure for analysis of a pollutant does not exist, the Director shall approve the procedure to be used.

7. Recording of Results

For each measurement or sample taken pursuant to the requirements of this Permit, the Permittee shall record the following information:

- a. The facility name and location, point source number, date, time, and exact place of sampling or measurements;
- b. The name(s) of person(s) who obtained the samples or measurements;
- c. The dates and times the analyses were performed;
- d. The name(s) of the person(s) who performed the analyses;
- The analytical techniques or methods used including source of method and method number; and
- f. The results of all required analyses.

8. Routine Inspection by Permittee

a. The Permittee shall inspect all point sources identified on Page 1 of this Permit and described more fully in the Permittee's application and all treatment or control facilities or systems used by the Permittee to achieve compliance with the terms and conditions of this Permit at least as often as the applicable sampling frequency specified in Part I.C.1 of this Permit.

- b. If required by the Director, the Permittee shall maintain a written log for each point source identified on Page 1 of this Permit and described more fully in the Permittee's application in which the Permittee shall record the following information:
 - (1) The date and time the point source and any associated treatment or control facilities or systems were inspected by the Permittee;
 - (2) Whether there was a discharge from the point source at the time of inspection by the Permittee;
 - (3) Whether a sample of the discharge from the point source was collected at the time of inspection by the Permittee;
 - (4) Whether all associated treatment or control facilities or systems appeared to be in good working order and operating as efficiently as possible, and if not, a description of the problems or deficiencies; and
 - (5) The name and signature of the person performing the inspection of the point source and associated treatment or control facilities or systems.

9. Records Retention and Production

- a. The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Permit, and records of all data used to complete the above reports or the application for this Permit, for a period of at least three (3) years from the date of the sample collection, measurement, report, or application. This period may be extended by request of the Director at any time. If litigation or other enforcement action, under the AWPCA, AEMA, and/or the FWPCA, is ongoing which involves any of the above records, the records shall be kept until the litigation is resolved. Upon the written request of the Director, the Permittee shall provide the Director with a copy of any record required to be retained by this paragraph. Copies of these records should not be submitted unless requested.
- b. All records required to be kept for a period of three (3) years shall be kept at the permitted facility or an alternate location approved by the Department in writing and shall be available for inspection.

10. Monitoring Equipment and Instrumentation

All equipment and instrumentation used to determine compliance with the requirements of this Permit shall be installed, maintained, and calibrated in accordance with the manufacturer's instructions or, in the absence of manufacturer's instructions, in accordance with accepted practices. The Permittee shall develop and maintain quality assurance procedures to ensure proper operation and maintenance of all equipment and instrumentation. The quality assurance procedures shall include the proper use, maintenance, and installation, when appropriate, of monitoring equipment at the plant site.

D. DISCHARGE REPORTING REQUIREMENTS

1. Requirements for Reporting of Monitoring

a. Monitoring results obtained during the previous three (3) months shall be summarized for each month on a Discharge Monitoring Report (DMR) Form approved by the Department, and submitted to the Department so that it is received by the Director no

later than the 28th day of the month following the quarterly reporting period (i.e., on the 28th day of January, April, July, and October of each year).

- b. The Department utilizes a web-based electronic environmental (E2) reporting system for submittal of DMRs. Except as allowed by Part I.D.1.c. or d., the Permittee shall submit all DMRs required by Part I.D.1.a. by utilizing the E2 reporting system. The E2 reporting system Permittee Participation Package may be downloaded online at https://e2.adem.alabama.gov/npdes.
- c. If the electronic environmental (E2) reporting system is down (i.e. electronic submittal of DMR data is unable to be completed due to technical problems originating with the Department's system; this could include entry/submittal issues with an entire set of DMRs or individual parameters), permittees are not relieved of their obligation to submit DMR data to the Department by the required submittal date. However, if the E2 system is down on the 28th day of the month or is down for an extended period of time as determined by the Department when a DMR is required to be submitted, the facility may submit the data in an alternate manner and format acceptable to the Department. Preapproved alternate acceptable methods include faxing, e-mailing, mailing, or hand-delivery of data such that they are received by the required reporting date. Within five calendar days of the E2 system resuming operation, the Permittee shall enter the data into the E2 reporting system unless an alternate timeframe is approved by the Department. An attachment should be included with the E2 DMR submittal verifying the original submittal date (date of the fax, copy of dated e-mail, or hand-delivery stamped date).
- d. The permittee may submit a request to the Department for a temporary electronic reporting waiver for DMR submittals. The waiver request should include the permit number; permittee name; facility/site name; facility address; name, address, and contact information for the responsible official or duly authorized representative; a detailed statement regarding the basis for requesting such a waiver; and the duration for which the waiver is requested. Approved electronic reporting waivers are not transferrable. Permittees with an approved electronic reporting waiver for DMRs may submit hard copy DMRs for the period that the approved electronic reporting waiver request is effective. The Permittee shall submit the Department-approved DMR forms to the address listed in Part I.D.1.j.
- e. If the Permittee, using approved analytical methods as specified in Part I.C.6., monitors any discharge from a point source identified on Page 1 of this Permit and describe more fully in the Permittee's application more frequently than required by this Permit; the results of such monitoring shall be included in the calculation and reporting of values on the DMR Form, and the increased frequency shall be indicated on the DMR Form.
- f. In the event no discharge from a point source identified on Page 1 of this Permit and described more fully in the Permittee's application occurs during a monitoring period, the Permittee shall report "No Discharge" for such period on the appropriate DMR Form.
- g. The Permittee shall report "No Discharge During Quarterly Monitoring Period" on the appropriate DMR Form for each point source receiving pumped discharges pursuant to Part I.C.1.b. provided that no discharge has occurred at <u>any</u> time during the entire quarterly (three month) monitoring period.
- h. Each DMR Form submitted by the Permittee to the Department in accordance with Part 1.D.1. must be legible and bear an original signature or electronic signature. Photo and electronic copies of the signature are not acceptable and shall not satisfy the reporting requirements of this Permit.

i. All reports and forms required to be submitted by this Permit, the AWPCA, and the Department's rules and regulations, shall be signed by a "responsible official" of the Permittee as defined in ADEM Admin. Code r. 335-6-6-.09 or a "duly authorized representative" of such official as defined in ADEM Admin. Code r. 335-6-6-.09 and shall bear the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

j. All DMRs, reports, and forms required to be submitted by this Permit, the AWPCA and the Department's rules and regulations, shall be addressed to:

Alabama Department of Environmental Management Water Division, Mining and Natural Resource Section Post Office Box 301463 Montgomery, Alabama 36130-1463

Certified and Registered Mail shall be addressed to:

Alabama Department of Environmental Management Water Division, Mining and Natural Resource Section 1400 Coliseum Boulevard Montgomery, Alabama 36110-2059

- k. Unless authorized in writing by the Department, approved reporting forms required by this Permit or the Department are not to be altered, and if copied or reproduced, must be consistent in format and identical in content to the ADEM approved form. Unauthorized alteration, falsification, or use of incorrectly reproduced forms constitutes noncompliance with the requirements of this Permit and may significantly delay processing of any request, result in denial of the request, result in permit termination, revocation, suspension, modification, or denial of a permit renewal application, or result in other enforcement action.
- 1. If this Permit is a reissuance, then the Permittee shall continue to submit DMRs in accordance with the requirements of their previous permit until such time as DMRs are due as discussed in Part I.D.1.

2. Noncompliance Notification

- a. The Permittee must notify the Department if, for any reason, the Permittee's discharge:
 - (1) Potentially threatens human health or welfare;
 - (2) Potentially threatens fish or aquatic life;
 - (3) Causes an in-stream water quality criterion to be exceeded;

- (4) Does not comply with an applicable toxic pollutant effluent standard or prohibition established under Section 307(a) of the FWPCA, 33 U.S.C. §1317(a);
- (5) Contains a quantity of a hazardous substance which has been determined may be harmful to the public health or welfare under Section 311(b)(4) of the FWPCA, 33 U.S.C. §1321(b)(4); or
- (6) Exceeds any discharge limitation for an effluent parameter as a result of an unanticipated bypass or upset.

The Permittee shall orally or electronically report any of the above occurrences, describing the circumstances and potential effects of such discharge to the Director within 24-hours after the Permittee becomes aware of the occurrence of such discharge. In addition to the oral or electronic report, the Permittee shall submit to the Director a written report as provided in Part I.D.2.c., no later than five (5) days after becoming aware of the occurrence of such discharge.

- b. If for any reason, the Permittee's discharge does not comply with any limitation of this Permit, the Permittee shall submit a written report to the Director as provided in Part I.D.2.c. This report must be submitted with the next Discharge Monitoring Report required to be submitted by Part I.D.1. of this Permit after becoming aware of the occurrence of such noncompliance.
- c. Form 421 must be submitted to the Director in accordance with Parts I.D.2.a. and b. The completed form must document the following information:
 - (1) A description of the discharge and cause of noncompliance;
 - (2) The period of noncompliance, including exact dates, times, and duration of the noncompliance. If not corrected by the due date of the written report, then the Permittee is to state the anticipated timeframe that is expected to transpire before the noncompliance is resolved; and
 - (3) A description of the steps taken and/or being taken to reduce or eliminate the noncomplying discharge and to prevent its recurrence.

3. Reduction, Suspension, or Termination of Monitoring and/or Reporting

- a. The Director may, with respect to any point source identified on Page 1 of this Permit and described more fully in the Permittee's application, authorize the Permittee to reduce, suspend, or terminate the monitoring and/or reporting required by this Permit upon the submission of a written request for such reduction, suspension, or termination by the Permittee provided:
 - (1) All mining, processing, or disturbance in the drainage basin(s) associated with the discharge has ceased and site access is adequately restricted or controlled to preclude unpermitted and unauthorized mining, processing, transportation, or associated operations/activity;
 - (2) Permanent, perennial vegetation has been re-established on all areas mined or disturbed for at least one year since mining has ceased in the drainage basin(s) associated with the surface discharge, or all areas have been permanently graded such that all drainage is directed back into the mined pit to preclude all surface discharges;

- (3) Unless waived in writing by the Department, the Permittee has been granted, in writing, a 100% Bond Release, if applicable, by the Alabama Department of Industrial Relations and, if applicable, by the Surface Mining Commission for all areas mined or disturbed in the drainage basin(s) associated with the discharge;
- (4) Unless waived in writing by the Department, the Permittee has submitted inspection reports prepared and certified by a Professional Engineer (PE) registered in the State of Alabama or a qualified professional under the PE's direction which certify that the facility has been fully reclaimed or that water quality remediation has been achieved. The first inspection must be conducted approximately one year prior to and the second inspection must be conducted within thirty days of the Permittee's request for termination of monitoring and reporting requirements;
- (5) All surface effects of the mining activity such as fuel or chemical tanks, preparation plants or equipment, old tools or equipment, junk or debris, etc., must be removed and disposed of according to applicable state and federal regulations;
- (6) The Permittee's request for termination of monitoring and reporting requirements contained in this Permit has been supported by monitoring data covering a period of at least six consecutive months or such longer period as is necessary to assure that the data reflect discharges occurring during varying seasonal climatological conditions;
- (7) The Permittee has stated in its request that the samples collected and reported in the monitoring data submitted in support of the Permittee's request for monitoring termination or suspension are representative of the discharge and were collected in accordance with all Permit terms and conditions respecting sampling times (e.g., rainfall events) and methods and were analyzed in accordance with all Permit terms and conditions respecting analytical methods and procedures;
- (8) The Permittee has certified that during the entire period covered by the monitoring data submitted, no chemical treatment of the discharge was provided;
- (9) The Permittee's request has included the certification required by Part I.D.1.e. of this Permit; and
- (10) The Permittee has certified to the Director in writing as part of the request, its compliance with (1) through (9) above.
- b. It remains the responsibility of the Permittee to comply with the monitoring and reporting requirements of this Permit until written authorization to reduce, suspend, or terminate such monitoring and/or reporting is received by the Permittee from the Director.

E. OTHER REPORTING AND NOTIFICATION REQUIREMENTS

1. Anticipated Noncompliance

The Permittee shall give the Director written advance notice of any planned changes or other circumstances regarding a facility which may result in noncompliance with permit requirements.

2. Termination of Discharge

The Permittee shall notify the Director, in writing, when all discharges from any point source(s) identified on Page 1 of this Permit and described more fully in the Permittee's application have permanently ceased.

3. Updating Information

- a. The Permittee shall inform the Director of any change in the Permittee's mailing address or telephone number or in the Permittee's designation of a facility contact or officer(s) having the authority and responsibility to prevent and abate violations of the AWPCA, the AEMA, the Department's rules and regulations, and the terms and conditions of this Permit, in writing, no later than ten (10) days after such change. Upon request of the Director, the Permittee shall furnish the Director with an update of any information provided in the permit application.
- b. If the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information with a written explanation for the mistake and/or omission.

4. Duty to Provide Information

- a. The Permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, suspending, terminating, or revoking and reissuing this Permit, in whole or in part, or to determine compliance with this Permit. The Permittee shall also furnish to the Director upon request, copies of records required to be maintained by this Permit.
- b. The Permittee shall furnish to the Director upon request, within a reasonable time, available information (name, phone number, address, and site location) which identifies offsite sources of material or natural resources (mineral, ore, or other material such as iron, coal, coke, dirt, chert, shale, clay, sand, gravel, bauxite, rock, stone, etc.) used in its operation or stored at the facility.

F. SCHEDULE OF COMPLIANCE

The Permittee shall achieve compliance with the discharge limitations specified in Part I.A. of this Permit in accordance with the following schedule:

Compliance must be achieved by the effective date of this Permit.

PART II OTHER REQUIREMENTS, RESPONSIBILITIES, AND DUTIES

A. OPERATIONAL AND MANAGEMENT REQUIREMENTS

1. Facilities Operation and Management

The Permittee shall at all times operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this Permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities only when necessary to achieve compliance with the conditions of this Permit.

2. Pollution Abatement and/or Prevention Plan

The Pollution Abatement and/or Prevention (PAP) Plan shall be prepared and certified by a registered Professional Engineer (PE), licensed to practice in the State of Alabama, and shall include at a minimum, the information indicated in ADEM Admin. Code r. 335-6-9-.03 and ADEM Admin. Code ch. 335-6-9 Appendices A and B. The PAP Plan shall become a part of this Permit and all requirements of the PAP Plan shall become requirements of this Permit pursuant to ADEM Admin. Code r. 335-6-9-.05(2).

3. Best Management Practices (BMPs)

- a. Unless otherwise authorized in writing by the Director, the Permittee shall provide a means of subsurface withdrawal for any discharge from each point source identified on Page 1 of this Permit and described more fully in the Permittee's application. Notwithstanding the above provision, a means of subsurface withdrawal need not be provided for any discharge caused by a 24-hour precipitation event greater than a 10-year, 24-hour precipitation event.
- b. Dilution water shall not be added to achieve compliance with discharge limitations except when the Director has granted prior written authorization for dilution to meet water quality requirements.
- c. The Permittee shall minimize the contact of water with overburden, including but not limited to stabilizing disturbed areas through grading, diverting runoff, achieving quick growing stands of temporary vegetation, sealing acid-forming and toxic-forming materials, and maximizing placement of waste materials in back-fill areas.
- d. The Permittee shall prepare, submit to the Department for approval, and implement a Best Management Practices (BMPs) Plan for containment of any or all process liquids or solids, in a manner such that these materials do not present a potential for discharge, if so required by the Director. When submitted and approved, the BMP Plan shall become a part of this Permit and all requirements of the BMP Plan shall become requirements of this Permit.

e. Spill Prevention, Control, and Management

The Permittee shall prepare, implement, and maintain a Spill Prevention, Control and Countermeasures (SPCC) Plan acceptable to the Department that is prepared and certified by a Professional Engineer (PE), registered in the State of Alabama, for all onsite petroleum product or other pollutant storage tanks or containers as provided by ADEM Admin. Code r. 335-6-6-0.08(j)5. The Plan shall describe and the Permittee shall

implement appropriate structural and/or non-structural spill prevention, control, and/or management pursuant to ADEM Admin. Code r. 335-6-6-.12 (r) sufficient to prevent any spills of pollutants from entering a ground or surface water of the State or a publicly or privately owned treatment works. The Plan shall include at a minimum, the engineering requirements provided in 40 C.F.R. §§112.1. Any containment system used to implement this requirement shall be constructed of materials compatible with the substance(s) contained and shall prevent the contamination of groundwater. Such containment systems shall be capable of retaining a volume equal to 110 percent of the capacity of the largest tank for which containment is provided. The Plan shall list any materials which the Permittee may utilize to contain and to absorb fuel and chemical spills and leaks. The Permittee shall maintain sufficient amounts of such materials onsite or have sufficient amounts of such materials readily available to contain and/or absorb fuel and chemical spills and leaks. Soil contaminated by chemical spills, oil spills, etc., must be immediately cleaned up or be removed and disposed of in a manner consistent with all State and federal regulations.

- f. All surface drainage and storm water runoff which originate within or enters the Permittee's premises and which contains any pollutants or other wastes shall be discharged, if at all, from a point source identified on Page 1 of this Permit and described more fully in the Permittee's application.
- g. The Permittee shall take all reasonable precautions to prevent any surface drainage or storm water runoff which originates outside the Permittee's premises and which contains any pollutants or other wastes from entering the Permittee's premises. At no time shall the Permittee discharge any such surface drainage or storm water runoff which enters the Permittee's premises if, either alone or in combination with the Permittee's effluent, the discharge would exceed any applicable discharge limitation specified in Part 1.A. of this Permit.

4. Biocide Additives

- a. The Permittee shall notify the Director in writing not later than sixty (60) days prior to instituting the use of any biocide corrosion inhibitor or chemical additive in any cooling or boiler system(s) regulated by this Permit. Notification is not required for additives that should not reasonably be expected to cause the cooling water or boiler water to exhibit toxicity as determined by analysis of manufacturer's data or testing by the Permittee. Such notification shall include:
 - (a) Name and general composition of biocide or chemical;
 - (b) 96-hour median tolerance limit data for organisms representative of the biota of the water(s) which the discharge(s) enter(s);
 - (c) Quantities to be used;
 - (d) Frequencies of use;
 - (e) Proposed discharge concentrations; and
 - (f) EPA registration number, if applicable.
- b. The use of any biocide or chemical additive containing tributyl tin, tributyl tin oxide, zinc, chromium, or related compounds in any cooling or boiler system(s) regulated by the Permit is prohibited except as exempted below. The use of a biocide or additive containing zinc, chromium or related compounds may be used in special circumstances if (1) the permit contains limits for these substances, or (2) the applicant demonstrates

during the application process that the use of zinc, chromium or related compounds as a biocide or additive will not pose a reasonable potential to violate the applicable State water quality standards for these substances. The use of any additive, not identified in this Permit or in the application for this Permit or not exempted from notification under this Permit is prohibited, prior to a determination by the Department that permit modification to control discharge of the additive is not required or prior to issuance of a permit modification controlling discharge of the additive.

5. Facility Identification

The Permittee shall clearly display prior to commencement of any regulated activity and until permit coverage is properly terminated, the name of the Permittee, entire NPDES permit number, facility or site name, and other descriptive information deemed appropriate by the Permittee at an easily accessible location(s) to adequately identify the site, unless approved otherwise in writing by the Department. The Permittee shall repair or replace the sign(s) as necessary upon becoming aware that the identification is missing or is unreadable due to age, vandalism, theft, weather, or other reason.

6. Removed Substances

Solids, sludges, filter backwash, or any other pollutants or other wastes removed in the course of treatment or control of wastewaters shall be disposed of in a manner that complies with all applicable Department rules and regulations.

7. Loss or Failure of Treatment Facilities

Upon the loss or failure of any treatment facility, including but not limited to the loss or failure of the primary source of power of the treatment facility, the Permittee shall, where necessary to maintain compliance with the discharge limitations specified in Part I.A. of this Permit or any other terms or conditions of this Permit, cease, reduce, or otherwise control production and/or discharges until treatment is restored.

8. Duty to Mitigate

The Permittee shall promptly take all reasonable steps to minimize or prevent any violation of this Permit or to mitigate and minimize any adverse impact to waters resulting from noncompliance with any discharge limitation specified in Part 1.A. of this Permit, including such accelerated or additional monitoring of the discharge and/or the receiving waterbody as is necessary to determine the nature and impact of the noncomplying discharge.

B. BYPASS AND UPSET

1. Bypass

- a. Any bypass is prohibited except as provided in Parts II.B.1.b. and c.
- b. A bypass is not prohibited if:
 - It does not cause any applicable discharge limitation specified in Part I.A. of this Permit to be exceeded;
 - (2) The discharge resulting from such bypass enters the same receiving water as the discharge from the permitted outfall;

- (3) It is necessary for essential maintenance of a treatment or control facility or system to assure efficient operation of such facility or system; and
- (4) The Permittee monitors the discharge resulting from such bypass at a frequency, at least daily, sufficient to prove compliance with the discharge limitations specified in Part I.A. of this Permit.
- c. A bypass is not prohibited and need not meet the discharge limitations specified in Part LA, of this Permit if:
 - It is unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (2) There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the Permittee could have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - (3) The Permittee submits a written request for authorization to bypass to the Director at least ten (10) days, if possible, prior to the anticipated bypass or within 24 hours of an unanticipated bypass, the Permittee is granted such authorization, and Permittee complies with any conditions imposed by the Director to minimize any adverse impact to waters resulting from the bypass.
- d. The Permittee has the burden of establishing that each of the conditions of Parts II.B.1.b. or c. have been met to qualify for an exception to the general prohibition against bypassing contained in Part II.B.1.a. and an exemption, where applicable, from the discharge limitations specified in Part I.A. of this Permit.

2. Upset

- a. Except as provided in Parts II.B.2.b. and c., a discharge which results from an upset need not meet the applicable discharge limitations specified in Part I.A. of this Permit if:
 - (1) No later than 24-hours after becoming aware of the occurrence of the upset, the Permittee orally reports the occurrence and circumstances of the upset to the Director; and
 - (2) No later than five (5) days after becoming aware of the occurrence of the upset, the Permittee furnishes the Director with evidence, including properly signed, contemporaneous operating logs, design drawings, construction certification, maintenance records, weir flow measurements, dated photographs, rain gauge measurements, or other relevant evidence, demonstrating that:
 - (i) An upset occurred;
 - (ii) The Permittee can identify the specific cause(s) of the upset;
 - (iii) The Permittee's treatment facility was being properly operated at the time of the upset; and
 - (iv) The Permittee promptly took all reasonable steps to minimize any adverse impact to waters resulting from the upset.

- b. Notwithstanding the provisions of Part 11.B.2.a., a discharge which is an overflow from a treatment facility or system, or an excess discharge from a point source associated with a treatment facility or system and which results from a 24-hour precipitation event larger than a 10-year, 24-hour precipitation event is not exempted from the discharge limitations specified in Part I.A. of this Permit unless:
 - (1) The treatment facility or system is designed, constructed, and maintained to contain the maximum volume of wastewater which would be generated by the facility during a 24-hour period without an increase in volume from precipitation and the maximum volume of wastewater resulting from a 10-year, 24-hour precipitation event or to treat the maximum flow associated with these volumes.

In computing the maximum volume of wastewater which would result from a 10-year, 24-hour precipitation event, the volume which would result from all areas' contributing runoff to the individual treatment facility must be included (i.e., all runoff that is not diverted from the mining area and runoff which is not diverted from the preparation plant area); and

- (2) The Permittee takes all reasonable steps to maintain treatment of the wastewater and minimize the amount of overflow or excess discharge.
- c. The Permittee has the burden of establishing that each of the conditions of Parts II.B.2.a. and b. have been met to qualify for an exemption from the discharge limitations specified in Part J.A. of this Permit.

C. PERMIT CONDITIONS AND RESTRICTIONS

- 1. Prohibition against Discharge from Facilities Not Certified
 - a. Notwithstanding any other provisions of this Permit, if the permitted facility has not obtained or is not required to obtain a permit from the Alabama Surface Mining Commission, any discharge(s) from any point or nonpoint source(s) from the permitted facility which was not certified to the Department on a form approved by the Department by a professional engineer, registered in the State of Alabama, as being designed, constructed, and in accordance with plans and specifications reviewed by the Department is prohibited; or
 - b. Notwithstanding any other provisions of this Permit, if the permitted facility has obtained or is required to obtain a permit from the Alabama Surface Mining Commission, any discharge(s) from any point or nonpoint source(s) from the permitted facility which is associated with a treatment facility which was not constructed and certified to the Alabama Surface Mining Commission pursuant to applicable provisions of said Commission's regulations, is prohibited until the Permittee submits to the Alabama Surface Mining Commission, certification by a professional engineer, registered in the State of Alabama, certifying that such facility has been constructed in accordance with plans and specifications approved by the Alabama Surface Mining Commission. This requirement shall not apply to pumped discharges from the underground works of underground coal mines where no surface structure is required by the Alabama Surface Mining Commission, provided the Department is notified in writing of the completion or installation of such facilities, and the pumped discharges will meet permit effluent limits without treatment.

2. Permit Modification, Suspension, Termination, and Revocation

- a. This Permit may be modified, suspended, terminated, or revoked and reissued, in whole or in part, during its term for cause, including but not limited to, the following:
 - (1) The violation of any term or condition of this Permit;
 - (2) The obtaining of this Permit by misrepresentation or the failure to disclose fully all relevant facts:
 - (3) The submission of materially false or inaccurate statements or information in the permit application or reports required by the Permit;
 - (4) The need for a change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;
 - (5) The existence of any typographical or clerical errors or of any errors in the calculation of discharge limitations;
 - (6) The existence of material and substantial alterations or additions to the facility or activity generating wastewater which occurred after permit issuance which justify the application of permit conditions that are different or absent in the existing permit;
 - (7) The threat of the Permittee's discharge on human health or welfare; or
 - (8) Any other cause allowed by ADEM Admin. Code ch. 335-6-6.
- b. The filing of a request by the Permittee for modification, suspension, termination, or revocation and reissuance of this Permit, in whole or in part, does not stay any Permit term or condition of this Permit.

3. Automatic Expiration of Permits for New or Increased Discharges

- a. Except as provided by ADEM Admin. Code r. 335-6-6-.02(g) and 335-6-6-.05, if this Permit was issued for a new discharger or new source, it shall expire eighteen months after the issuance date if construction has not begun during that eighteen month period.
- b. Except as provided by ADEM Admin. Code r. 335-6-6-.02(g) and 335-6-6-.05, if any portion of this Permit was issued or modified to authorize the discharge of increased quantities of pollutants to accommodate the modification of an existing facility, that portion of this Permit shall expire eighteen months after this Permit's issuance if construction of the modification has not begun within eighteen month period.
- c. Construction has begun when the owner or operator has:
 - (1) Begun, or caused to begin as part of a continuous on-site construction program:
 - (i) Any placement, assembly, or installation of facilities or equipment; or
 - (ii) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

- (2) Entered into a binding contractual obligation for the purpose of placement, assembly, or installation of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under the paragraph. The entering into a lease with the State of Alabama for exploration and production of hydrocarbons shall also be considered beginning construction.
- d. The automatic expiration of this Permit for new or increased discharges if construction has not begun within the eighteen month period after the issuance of this Permit may be tolled by administrative or judicial stay.

4. Transfer of Permit

This Permit may not be transferred or the name of the Permittee changed without notice to the Director and subsequent modification or revocation and reissuance of this Permit to identify the new Permittee and to incorporate any other changes as may be required under the FWPCA or AWPCA. In the case of a change in name, ownership, or control of the Permittee's premises only, a request for permit modification in a format acceptable to the Director is required at least 30 days prior to the change. In the case of a change in name, ownership, or control of the Permittee's premises accompanied by a change or proposed change in effluent characteristics, a complete permit application is required to be submitted to the Director at least 180 days prior to the change. Whenever the Director is notified of a change in name, ownership, or control, he may decide not to modify the existing Permit and require the submission of a new permit application.

5. Groundwater

Unless authorized on page 1 of this Permit, this Permit does not authorize any discharge to groundwater. Should a threat of groundwater contamination occur, the Director may require groundwater monitoring to properly assess the degree of the problem, and the Director may require that the Permittee undertake measures to abate any such discharge and/or contamination.

6. Property and Other Rights

This Permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to persons or property or invasion of other private rights, trespass, or any infringement of Federal, State, or local laws or regulations, nor does it authorize or approve the construction of any physical structures or facilities or the undertaking of any work in any waters of the State or of the United States.

D. RESPONSIBILITIES

1. Duty to Comply

- a. The Permittee must comply with all terms and conditions of this Permit. Any permit noncompliance constitutes a violation of the AWPCA, AEMA, and the FWPCA and is grounds for enforcement action, for permit termination, revocation and reissuance, suspension, modification, or denial of a permit renewal application.
- b. The Permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the FWPCA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if this Permit has not yet been modified to incorporate the effluent standard, prohibition or requirement.

- c. For any violation(s) of this Permit, the Permittee is subject to a civil penalty as authorized by the AWPCA, the AEMA, the FWPCA, and <u>Code of Alabama 1975</u>, §§22-22A-1 et. seq., as amended, and/or a criminal penalty as authorized by <u>Code of Alabama 1975</u>, §22-22-1 et. seq., as amended.
- d. The necessity to halt or reduce production or other activities in order to maintain compliance with the conditions of this Permit shall not be a defense for a Permittee in an enforcement action.
- e. Nothing in this Permit shall be construed to preclude or negate the Permittee's responsibility or liability to apply for, obtain, or comply with other ADEM, federal, state, or local government permits, certifications, licenses, or other approvals.
- f. The discharge of a pollutant from a source not specifically identified in the permit application for this Permit and not specifically included in the description of an outfall in this Permit is not authorized and shall constitute noncompliance with this Permit.
- g. The Permittee shall take all reasonable steps, including cessation of production or other activities, to minimize or prevent any violation of this Permit or to minimize or prevent any adverse impact of any permit violation.

2. Change in Discharge

- a. The Permittee shall apply for a permit modification at least 180 days in advance of any facility expansion, production increase, process change, or other action that could result in the discharge of additional pollutants, increase the quantity of a discharged pollutant, or that could result in an additional discharge point. This requirement also applies to pollutants that are not subject to discharge limitations in this Permit. No new or increased discharge may begin until the Director has authorized it by issuance of a permit modification or a reissued permit.
- b. The Permittee shall notify the Director as soon as it knows or has reason to believe that it has begun or expects to begin to discharge any pollutant listed as a toxic pollutant pursuant to Section 307(a) of the FWPCA, 33 U.S.C. §1317(a), any substance designated as a hazardous substance pursuant to Section 311(b)(2) of the FWPCA, 33 U.S.C. §1321(b)(2), any waste listed as a hazardous waste pursuant to Code of Alabama 1975, §22-30-10, or any other pollutants or other wastes which is not subject to any discharge limitations specified in Part I.A. of this Permit and was not reported in the Permittee's application, was reported in the Permittee's application in concentrations or mass rates lower than that which the Permittee expects to begin to be discharged, or has reason to believe has begun to be discharged.

3. Compliance with Toxic or Other Pollutant Effluent Standard or Prohibition

If any applicable effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Sections 301(b)(2)(C),(D),(E) and (F) of the FWPCA, 33 U.S.C. §1311(b)(2)(C),(D),(E), and (F); 304(b)(2) of the FWPCA, 33 U.S.C. §1314(b)(2); or 307(a) of the FWPCA, 33 U.S.C. §1317(a), for a toxic or other pollutant discharged by the Permittee, and such standard or prohibition is more stringent than any discharge limitation on the pollutant specified in Part I.A. of this Permit or controls a pollutant not limited in Part I.A. of this Permit, this Permit shall be modified to conform to the toxic or other pollutant effluent standard or prohibition and the Permittee shall be notified of such modification. If this Permit has not been modified to conform to the toxic or other pollutant effluent standard or prohibition before the effective date of such standard or prohibition, the authorization to discharge in this Permit shall be void to the extent that any discharge limitation on such pollutant in Part I.A.

of this Permit exceeds or is inconsistent with the established toxic or other pollutant effluent standard or prohibition.

4. Compliance with Water Quality Standards and Other Provisions

- a. On the basis of the Permittee's application, plans, or other available information, the Department has determined that compliance with the terms and conditions of this Permit will assure compliance with applicable water quality standards. However, this Permit does not relieve the Permittee from compliance with applicable State water quality standards established in ADEM Admin. Code ch. 335-6-10, and does not preclude the Department from taking action as appropriate to address the potential for contravention of applicable State water quality standards which could result from discharges of pollutants from the permitted facility.
- b. Compliance with Permit terms and conditions notwithstanding, if the Permittee's discharge(s) from point source(s) identified on Page 1 of this Permit cause(s) or contribute(s) to a condition in contravention of State water quality standards, the Department may require abatement action to be taken by the Permittee, modify the Permit pursuant to the Department's rules and regulations, or both.
- c. If the Department determines, on the basis of a notice provided pursuant to Part II.C.2. of this Permit or any investigation, inspection, or sampling, that a modification of this Permit is necessary to assure maintenance of water quality standards or compliance with other provisions of the AWPCA or FWPCA, the Department may require such modification and, in cases of emergency, the Director may prohibit the noticed act until the Permit has been modified.

5. Compliance with Statutes and Rules

- a. This Permit has been issued under ADEM Admin. Code div. 335-6. All provisions of this division, that are applicable to this Permit, are hereby made a part of this Permit. A copy of this division may be obtained for a small charge from the Office of General Counsel, Alabama Department of Environmental Management, 1400 Coliseum Blvd., Montgomery, AL 36110-2059.
- b. This Permit does not authorize the noncompliance with or violation of any Laws of the State of Alabama or the United States of America or any regulations or rules implementing such laws. FWPCA, 33 U.S.C. Section 1319, and Code of Alabama 1975, Section 22-22-14.

6. Right of Entry and Inspection

The Permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law to:

- a. Enter upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the Permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and
- d. Sample or monitor at reasonable times, for the purposes of assuring Permit compliance or as otherwise authorized by the AWPCA, any substances or parameters at any location.

7. Duty to Reapply or Notify of Intent to Cease Discharge

- a. If the Permittee intends to continue to discharge beyond the expiration date of this Permit, the Permittee shall file with the Department a complete permit application for reissuance of this Permit at least 180 days prior to its expiration.
- b. If the Permittee does not desire to continue the discharge(s) allowed by this Permit, the Permittee shall notify the Department at least 180 days prior to expiration of this Permit of the Permittee's intention not to request reissuance of this Permit. This notification must include the information required in Part I.D.4.a. and be signed by an individual meeting the signatory requirements for a permit application as set forth in ADEM Admin. Code r. 335-6-6-0.09.
- c. Failure of the Permittee to submit to the Department a complete application for reissuance of this Permit at least 180 days prior to the expiration date of this Permit will void the automatic continuation of this Permit provided by ADEM Admin. Code r. 335-6-6-06; and should this Permit not be reissued for any reason, any discharge after the expiration of this Permit will be an unpermitted discharge.

PART III ADDITIONAL REQUIREMENTS, CONDITIONS, AND LIMITATIONS

A. CIVIL AND CRIMINAL LIABILITY

1. Tampering

Any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained or performed under this Permit shall, upon conviction, be subject to penalties and/or imprisonment as provided by the AWPCA and/or the AEMA.

2. False Statements

Any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this Permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished as provided by applicable State and Federal law.

3. Permit Enforcement

This NPDES Permit is a Permit for the purpose of the AWPCA, the AEMA, and the FWPCA, and as such all terms, conditions, or limitations of this Permit are enforceable under State and Federal law.

4. Relief From Liability

Except as provided in Part II.B.1. (Bypass) and Part II.B.2. (Upset), nothing in this Permit shall be construed to relieve the Permittee of civil or criminal liability under the AWPCA, AEMA, or FWPCA for noncompliance with any term or condition of this Permit.

B. OIL AND HAZARDOUS SUBSTANCE LIABILITY

Nothing in this Permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties to which the Permittee is or may be subject to under Section 311 of the FWPCA, 33 U.S.C. §1321.

C. AVAILABILITY OF REPORTS

Except for data determined to be confidential under <u>Code of Alabama</u> 1975, §22-22-9(c), all reports prepared in accordance with the terms of this Permit shall be available for public inspection at the offices of the Department. Effluent data shall not be considered confidential. Knowingly making any false statement in any such report may result in the imposition of criminal penalties as provided for in Section 309 of the FWPCA, 33 U.S.C. §1319, and <u>Code of Alabama</u> 1975, §22-22-14.

D. DEFINITIONS

- 1. Alabama Environmental Management Act (AEMA) means <u>Code of Alabama</u> 1975, §§22-22A-1 <u>et. seq.</u>, as amended.
- Alabama Water Pollution Control Act (AWPCA) means <u>Code of Alabama</u> 1975, §§22-22-1 <u>et</u>. <u>seq.</u>, as amended.
- Average monthly discharge limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar

month divided by the number of "daily discharges" measured during that month (zero discharge days shall not be included in the number of "daily discharges" measured and a less than detectable test result shall be treated as a concentration of zero if the most sensitive EPA approved method was used).

- Arithmetic Mean means the summation of the individual values of any set of values divided by the number of individual values.
- 5. BOD means the five-day measure of the pollutant parameter biochemical oxygen demand
- 6. Bypass means the intentional diversion of waste streams from any portion of a treatment facility.
- CBOD means the five-day measure of the pollutant parameter carbonaceous biochemical oxygen demand.
- 8. Controlled Surface Mine Drainage means any surface mine drainage that is pumped or siphoned from the active mining area.
- 9. Crushed stone mine means an area on or beneath land which is mined, quarried, or otherwise disturbed in activity related to the extraction, removal, or recovery of stone from natural or artificial deposits, including active mining, reclamation, and mineral storage areas, for production of crushed stone.
- 10. Daily discharge means the discharge of a pollutant measured during any consecutive 24-hour period in accordance with the sample type and analytical methodology specified by the discharge permit.
- 11. Daily maximum means the highest value of any individual sample result obtained during a day.
- 12. Daily minimum means the lowest value of any individual sample result obtained during a day.
- Day means any consecutive 24-hour period.
- 14. Department means the Alabama Department of Environmental Management.
- Director means the Director of the Department or his authorized representative or designee.
- 16. Discharge means "[t]he addition, introduction, leaking, spilling or emitting of any sewage, industrial waste, pollutant or other waste into waters of the state." Code of Alabama 1975, §22-22-1(b)(8).
- Discharge monitoring report (DMR) means the form approved by the Director to accomplish monitoring report requirements of an NPDES Permit.
- 18. DO means dissolved oxygen.
- 19. E. coli means the pollutant parameter Escherichia coli.
- 20. 8HC means 8-hour composite sample, including any of the following:
 - a. The mixing of at least 5 equal volume samples collected at constant time intervals of not more than 2 hours over a period of not less than 8 hours between the hours of 6:00 a.m. and 6:00 p.m. If the sampling period exceeds 8 hours, sampling may be conducted beyond the 6:00 a.m. to 6:00 p.m. period.

- b. A sample continuously collected at a constant rate over period of not less than 8 hours between the hours of 6:00 a.m. and 6:00 p.m. If the sampling period exceeds 8 hours, sampling may be conducted beyond the 6:00 a.m. to 6:00 p.m. period.
- 21. EPA means the United States Environmental Protection Agency.
- 22. Federal Water Pollution Control Act (FWPCA) means 33 U.S.C. §§1251 et. seq., as amended.
- 23. Flow means the total volume of discharge in a 24-hour period.
- 24. Geometric Mean means the Nth root of the product of the individual values of any set of values where N is equal to the number of individual values. The geometric mean is equivalent to the antilog of the arithmetic mean of the logarithms of the individual values. For purposes of calculating the geometric mean, values of zero (0) shall be considered one (1).
- 25. Grab Sample means a single influent or effluent portion which is not a composite sample. The sample(s) shall be collected at the period(s) most representative of the discharge.
- 26. Indirect Discharger means a nondomestic discharger who discharges pollutants to a publicly owned treatment works or a privately owned treatment facility operated by another person.
- 27. Industrial User means those industries identified in the Standard Industrial Classification manual, Bureau of the Budget 1967, as amended and supplemented, under the category "Division D Manufacturing" and such other classes of significant waste producers as, by regulation, the Director deems appropriate.
- 28. mg/L means milligrams per liter of discharge.
- 29. MGD means million gallons per day.
- 30. Monthly Average means, other than for E. coli bacteria, the arithmetic mean of all the composite or grab samples taken for the daily discharges collected in one month period. The monthly average for E. coli bacteria is the geometric mean of daily discharge samples collected in a one month period. The monthly average for flow is the arithmetic mean of all flow measurements taken in a one month period. (Zero discharges shall not be included in the calculation of monthly averages.)
- New Discharger means a person owning or operating any building, structure, facility or installation:
 - a. From which there is or may be a discharge of pollutants;
 - b. From which the discharge of pollutants did not commence prior to August 13, 1979, and which is not a new source; and
 - Which has never received a final effective NPDES Permit for dischargers at that site.
- New Source means:
 - a. A new source as defined for coal mines by 40 CFR Part 434.11 (1994); and
 - b. Any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:
 - (1) After promulgation of standards of performance under Section 306 of FWPCA which are applicable to such source; or

- (2) After proposal of standards of performance in accordance with Section 306 of the FWPCA which are applicable to such source, but only if the standards are promulgated in accordance with Section 206 within 120 days of their proposal.
- 33. NH3-N means the pollutant parameter ammonia, measured as nitrogen.
- 34. 1-year, 24-hour precipitation event means the maximum 24-hour precipitation event with a probable recurrence interval of once in one year as defined by the National Weather Service and Technical Paper No. 40, "Rainfall Frequency Atlas of the U.S.," May 1961, or equivalent regional or rainfall probability information developed therefrom.
- 35. Permit application means forms and additional information that are required by ADEM Admin. Code r. 335-6-6-.08 and applicable permit fees.
- 36. Point Source means "any discernible, confined and discrete conveyance, including but not limited to any pipe, channel, ditch, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft from which pollutants are or may be discharged." Section 502(14) of the FWPCA, 33 U.S.C. §1362(14).
- 37. Pollutant includes for purposes of this Permit, but is not limited to, those pollutants specified in Code of Alabama 1975, §22-22-1(b)(3) and those effluent characteristics, excluding flow, specified in Part I.A. of this Permit.
- Pollutant of Concern means those pollutants for which a water body is listed as impaired or which contribute to the listed impairment.
- 39. Pollution Abatement and/or Prevention Plan (PAP Plan) mining operations plan developed to minimize impacts on water quality to avoid a contravention of the applicable water quality standards as defined in ADEM Admin. Code r. 335-6-9-.03
- 40. Preparation, Dry means a dry preparation facility within which the mineral/material is cleaned, separated, or otherwise processed without use of water or chemical additives before it is shipped to the customer or otherwise utilized. A dry preparation plant includes all ancillary operations and structures necessary to clean, separate, or otherwise process the mineral/material, such as storage areas and loading facilities. Dry preparation also includes minor water spray(s) used solely for dust suppression on equipment and roads to minimize dust emissions.
- 41. Preparation, Wet means a wet preparation facility within which the mineral/material is cleaned, separated, or otherwise processed using water or chemical additives before it is shipped to the customer or otherwise utilized. A wet preparation plant includes all ancillary operations and structures necessary to clean, separate, or otherwise process the mineral/material, such as storage areas and loading facilities. Wet preparation also includes mineral extraction/processing by dredging, slurry pumping, etc.
- 42. Privately Owned Treatment Works means any devices or system which is used to treat wastes from any facility whose operator is not the operator of the treatment works, and which is not a "POTW".
- 43. Publicly Owned Treatment Works (POTW) means a wastewater collection and treatment facility owned by the State, municipality, regional entity composed of two or more municipalities, or another entity created by the State or local authority for the purpose of collecting and treating municipal wastewater.
- 44. Receiving Stream means the "waters" receiving a "discharge" from a "point source".

- 45. Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- 46. 10-year, 24-hour precipitation event means that amount of precipitation which occurs during the maximum 24-hour precipitation event with a probable recurrence interval of once in ten years as defined by the National Weather Service and Technical Paper No. 40, "Rainfall Frequency Atlas of the U.S.," May 1961, or equivalent regional or rainfall probability information developed therefrom.
- 47. TKN means the pollutant parameter Total Kjeldahl Nitrogen.
- 48. TON means the pollutant parameter Total Organic Nitrogen.
- 49. TRC means Total Residual Chlorine.
- 50. TSS means the pollutant parameter Total Suspended Solids
- Treatment facility and treatment system means all structures which contain, convey, and as necessary, chemically or physically treat mine and/or associated preparation plant drainage, which remove pollutants limited by this Permit from such drainage or wastewater. This includes all pipes, channels, ponds, tanks, and all other equipment serving such structures.
- 52. 24HC means 24-hour composite sample, including any of the following:
 - a. The mixing of at least 12 equal volume samples collected at constant time intervals of not more than 2 hours over a period of 24 hours;
 - b. A sample collected over a consecutive 24-hour period using an automatic sampler composite to one sample. As a minimum, samples shall be collected hourly and each shall be no more than one twenty-fourth (1/24) of the total sample volume collected; or
 - c. A sample collected over a consecutive 24-hour period using an automatic composite sampler composited proportional to flow.
- 53. 24-hour precipitation event means that amount of precipitation which occurs within any 24-hour period.
- 2-year, 24-hour precipitation event means the maximum 24-hour precipitation event with a probable recurrence interval of once in two years as defined by the National Weather Service and Technical Paper No. 40, "Rainfall Frequency Atlas of the U.S.," May 1961, or equivalent regional or rainfall probability information developed therefrom.
- 55. Upset means an exceptional incident in which there is an unintentional and temporary noncompliance with technology-based permit discharge limitations because of factors beyond the control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate facilities, lack of preventive maintenance, or careless or improper operation.
- Waters means "[a]ll waters of any river, stream, watercourse, pond, lake, coastal, ground or surface water, wholly or partially within the State, natural or artificial. This does not include waters which are entirely confined and retained completely upon the property of a single individual, partnership, or corporation unless such waters are used in interstate commerce." Code of Alabama 1975, §22-22-1(b)(2). "Waters" include all "navigable waters" as defined in §502(7) of the FWPCA, 33 U.S.C. §1362(7), which are within the State of Alabama.

- 57. Week means the period beginning at twelve midnight Saturday and ending at twelve midnight the following Saturday.
- Weekly (7-day and calendar week) Average is the arithmetic mean of all samples collected during a consecutive 7-day period or calendar week, whichever is applicable. The calendar week is defined as beginning on Sunday and ending on Saturday. Weekly averages shall be calculated for all calendar weeks with Saturdays in the month. If a calendar week overlaps two months (i.e., the Sunday is in one month and the Saturday in the following month), the weekly average calculated for the calendar week shall be included in the data for the month that contains the Saturday.

E. SEVERABILITY

The provisions of this Permit are severable, and if any provision of this Permit or the application of any provision of this Permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Permit, shall not be affected thereby.

F. PROHIBITIONS AND ACTIVIES NOT AUTHORIZED

- Discharges from disposal or landfill activities as described in ADEM Admin. Code div. 335-13
 are not authorized by this Permit unless specifically approved by the Department.
- 2. Relocation, diversion, or other alteration of a water of the State is not authorized by this Permit unless specifically approved by the Department.
- Lime or cement manufacturing or production and discharge of process waters from such manufacturing or production is not authorized by this Permit unless specifically approved by the Department.
- Concrete or asphalt manufacturing or production and discharge of process waters from such manufacturing or production is not authorized by this Permit unless specifically approved by the Department.
- 5. The discharge of wastewater, generated by any process, facility, or by any other means not under the operational control of the Permittee or not identified in the application for this Permit or not identified specifically in the description of an outfall in this Permit is not authorized by this Permit.

G. DISCHARGES TO IMPAIRED WATERS

- 1. This Permit does not authorize new sources or new discharges of pollutants of concern to impaired waters unless consistent with an EPA-approved or EPA-established Total Maximum Daily Load (TMDL) and applicable State law, or unless compliance with the limitations and requirements of the Permit ensure that the discharge will not contribute to further degradation of the receiving stream. Impaired waters are those that do not meet applicable water quality standards and are identified on the State of Alabama's §303(d) list or on an EPA-approved or EPA-established TMDL. Pollutants of concern are those pollutants for which the receiving water is listed as impaired or contribute to the listed impairment.
- 2. Facilities that discharge into a receiving stream which is listed on the State of Alabama's §303(d) list of impaired waters, and with discharges that contain the pollutant(s) for which the waters are impaired, must within six (6) months of the Final §303(d) list approval, document in its BMP plan how the BMPs will control the discharge of the pollutant(s) of concern, and must ensure that there

will be no increase of the pollutants of concern. A monitoring plan to assess the effectiveness of the BMPs in achieving the allocations must also be included in the BMP plan.

3. If the facility discharges to impaired waters as described above, it must determine whether a TMDL has been developed and approved or established by EPA for the listed waters. If a TMDL is approved or established during this Permit cycle by EPA for any waters into which the facility discharges, the facility must review the applicable TMDL to see if it includes requirements for control of any water discharged by the Permittee. Within six (6) months of the date of TMDL approval or establishment, the facility must notify the Department on how it will modify its BMP plan to include best management practices specifically targeted to achieve the allocations prescribed by the TMDL, if necessary. Any revised BMP plans must be submitted to the Department for review. The facility must include in the BMP plan a monitoring component to assess the effectiveness of the BMPs in achieving the allocations.

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT WATER DIVISION

NPDES INDIVIDUAL PERMIT RATIONALE

Company Name: Midsouth Paving, Inc. dba Midsouth Aggregates

Facility Name: Tarrant Quarry

County: Jefferson

Permit Number: AL0055280

Prepared by: Michael T. Bergh

Date: February 22, 2018

Receiving Waters: Five Mile Creek

Permit Coverage: Limestone Quarry, Dry Preparation Plant, Transportation and Storage, and Associated

Areas

SIC Codes: 1422

The Department has made a tentative determination that the available information is adequate to support reissuance of this permit.

This proposed permit covers a dry preparation limestone quarry, transportation and storage, and associated areas which discharge to surface waters of the state.

Full compliance with the proposed permit terms and conditions is expected to be protective of instream water quality and ensure consistency with applicable instream State water quality standards (WQS) for the receiving stream.

The proposed permit authorizes treated discharges to Five Mile Creek classified as Fish and Wildlife (F&W) per ADEM Admin. Code ch. 335-6-11. If the requirements of the proposed permit are fully implemented, the facility will not discharge pollutants at levels that will cause or contribute to a violation of the F&W classification.

Technology Based Effluent Limits (TBELs) for crushed stone mining facilities can be found in 40 CFR 436.22(1) and (2) for facilities that recycle waste water for use in processing and mine dewatering, respectively. The TBELs were promulgated for existing dischargers using the Best Practicable Control Technology Available (BPT). New Source Performance Standards (NSPS) have not yet been developed by the EPA for the Crushed Stone Subcategory.

The instream WQS for pH, for streams classified as F&W, are 6.0 - 8.5 s.u per ADEM Admin Code r. 335-6-10-.09. Additionally, information provided in the Permittee's application indicates that both Outfalls 001-1 and 002-1 could discharge as a result of pumping when the discharge/stream flow ratio may be high; therefore, discharge limitations for pH of 6.0 - 8.5 s.u. are proposed for Outfalls 001-1 and 002-1. This is a reduction of the previously permitted pH limits for Outfalls 001-1 and 002-1 of 6.0 - 9.0 s.u.

The TBELs for 40 CFR 436 Subpart B do not include limitations for Total Suspended Solids (TSS). TSS is classified as a conventional pollutant in 40 CFR 401.16 and is expected to be discharged from this type of facility. Therefore, monthly average and daily maximum effluent limitations for TSS are those proposed by the EPA for crushed stone mine drainage in the Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Mineral Mining and Processing Pont Source Category (July 1979).

The applicant has requested, in accordance with 40 CFR Part 122.21 and their NPDES permit application, a waiver from testing for the Part A, B, and C pollutants listed in the EPA Form 2C and 2D that are not addressed in their application. They have also certified that due to the processes involved in their mining activity these pollutants are believed to be not present in the waste stream.

The Pollution Abatement/Prevention (PAP) plan for this facility has been prepared by a professional engineer (PE) registered in the State of Alabama and is designed to ensure reduction of pollutants in the waste stream to a level that, if operated properly, the discharge will not contribute to or cause a violation of applicable State WQS. The proposed permit terms and conditions are predicated on the basis of ensuring a reduction of pollutants in the discharge to a level that reduces the potential of contributing to or causing a violation of applicable State WQS.

In accordance with ADEM Admin. Code r. 335-6-3-.07 the design PE, as evidenced by their seal and/or signature on the application, has accepted full responsibility for the effectiveness of the waste treatment facility to treat the Permittee's effluent to meet NPDES permit limitations and requirements, and to fully comply with Alabama's WQS, when such treatment facilities are properly operated.

If there is a reasonable potential that a pollutant present in the treated discharges from a facility could cause or contribute to a contravention of applicable State WQS above numeric or narrative criteria, 40 CFR Part 122 requires the Department to establish effluent limits using calculated water quality criterion, establish effluent limits on a case-by-case basis using criteria established by EPA, or establish effluent limits based on an indicator parameter. Based on available information, potential pollutants discharged from this facility, if discharged within the concentrations allowed by this permit, would not have a reasonable potential to cause or contribute to a contravention of applicable State WQS.

Pursuant to ADEM Admin. Code r. 335-6-6-.12(r) this permit requires the permittee to design and implement a Spill Prevention Control and Countermeasures (SPCC) plan for all stored chemicals, fuels and/or stored pollutants that have the potential to discharge to a water of the State. This plan must meet the minimum engineering requirements as defined in 40 CFR Part 112 and must provide for secondary containment adequate to control a potential spill.

The applicant is not proposing discharges of pollutant(s) to a water of the State with an approved Total Maximum Daily Load (TMDL).

The applicant is not proposing discharges into a stream segment or other State water that is included on Alabama's current CWA §303(d) list.

The applicant is not proposing new discharges of pollutant(s) to an ADEM identified Tier I water.

The proposed permit does not authorize new or increased discharges of pollutants to a Tier II water. Therefore, the Antidegradation Policy (ADEM Admin. Code 335-6-10-.04) does not apply to this permit.

535 Herron Street

AIRPORTS
BRIDGE DESIGN
CONSTRUCTION MANAGEMENT
ENVIRONMENTAL PERMITS
MIGHWAY DESIGN
LAND DEVELOPMENT PLANNING & DESIGN
LAND USE STUDIES
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PARKS & RECREATION FACILITIES

Montgomery, Alabama 36104 Telephone: 334.262.1091 Facsimile: 334.262.2211

SEWAGE COLLECTION TREATMENT & DISPOSAL SOLID WASTE LANDFILLS STORM DRAINAGE STUDIES & DESIGN SUBDIVISIONS SURVEYING LAND SURVEYS CONSTRUCTION SURVEYS TOPOGRAPHIC MAPS WATER SUPPLY, TREATMENT & DISTRIBUTION

October 2, 2017

Alabama Department of Environmental Management Mining & Natural Resource Section P.O. Box 301463 Montgomery, AL 36130

ATTN: Michael Bergh

RE: Midsouth Paving, Inc. dba Midsouth Aggregates

Tarrant Quarry AL0055280

Jefferson County

Dear Mr. Bergh,

Enclosed you will find the following for the site mentioned above:

1. ADEM Form 315;

2. PAP Plan & Maps;

3. ePay receipts and emails for payment of the required fee \$5,820.00.

Should you have any questions or need additional information, please do not hesitate to call.

Sincerely,

Clint Davis

Enclosures

cc: Mr. Charlie Stephens, Environmental Manager

File: 813-FF

Stephens, Charlie (MidSouth Paving)

From:

receipts@alabamainteractive.org

Sent:

Friday, September 29, 2017 2:12 PM

To:

Stephens, Charlie (MidSouth Paving)

Subject:

· [EXT] ADEM General Invoice payments - 20170929000034890

Your transaction is complete.

Please PRINT the receipt below for your records.

Receipt Confirmation Page

ADEM requires that when you pay online, you MUST print out the confirmation information and submit it as proof of payment with your permit application or any other correspondence requiring proof of payment.

Payment Summary	
Payment Item	Fee
Online Payment - 09/29/2017 14:11:29	\$5,820.00
Total Fee through Alabama.gov (more info)	\$5,822.00

Receipt Confirmation Number: 20170929000034890

General Invoice Information

Choose the type of payment you are making: 6570-OTHER FEES (Must Enter Description of Other Fees)

Description of Other Fees: NPDES Permit Renewal Fee - AL0055280

Additional Information/Fee Description: Mining & Natural Resources Section Attention: Michael Bergh

Number on your ADEM invoice:

Date on your ADEM invoice:

Contact Information

Company/Facility or Individual Name: Midsouth Paving, Inc. dba Midsouth Aggregates

Facility Permit Number (if applicable): AL0055280

Company or Facility Phone: 205-995-5885

Contact Person: Charlie Stephens

Contact Phone: 205-533-4390

Contact email address: charlie.stephens@midsouthpaving.com

Name of an ADEM Program Staff Member (if known): Michaels Bergh

This is a system generated message. Please do not reply to this email.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you are expecting this email and know the contents are safe. ATTENTION: Ce courriel vient de l'exterieur de l'entreprise. Ne cliquez pas sur les liens, et n'ouvrez pas les pièces jointes, à moins que vous ne connaissiez l'expéditeur du courriel et savez que le contenu est sécuritaire.

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT



(334) 271-7700 1400 Coliseum Blvd. Montgomery, AL 36110 mailing address: Post Office Box 301463, Montgomery, AL 36130-1463

Receipt Confirmation Page

ADEM requires that when you pay online, you MUST print out the confirmation information and submit it as proof of payment with your permit application or any other correspondence requiring proof of payment.

Payment Summary			
Payment Item	Fee		
Online Payment - 09/29/2017 14:11:29	\$5,820.00		
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Choose the type of payment you are making: 6570-OTHER FEES (Must Enter Description of Other Fees)

Description of Other Fees: NPDES Permit Renewal Fee - AL0055280

Additional Information/Fee Description: Mining & Natural Resources Section Attention: Michael Bergh

Number on your ADEM invoice: Date on your ADEM invoice:

Contact Information

Company/Facility or Individual Name: Midsouth Paving, Inc. dba Midsouth Aggregates

Facility Permit Number (if applicable): AL0055280

Company or Facility Phone: 205-995-5885

Contact Person: Charle Stephens

Contact Phone: 205-533-4390

Contact email address: charlie.stephens@midsouthpaving.com

Name of an ADEM Program Staff Member (If known); Michaels Bergh

Policy Related Questions: 334-271-7700
Application Support: 866-353-3488 or support@alabamainteractive.org

Version 1.0.3.1

Clint Davis

From:

Stephens, Charlie (MidSouth Paving) < Charlie.Stephens@midsouthpaving.com>

Sent:

Friday, September 29, 2017 2:24 PM

To:

Clint Davis

Subject:

RE: [EXT] ADEM General Invoice payments - 20170929000034890

Attachments:

Tarrant Quarry NPDES Permit Receipt - AL0055280.pdf; Tarrant NPDES Permit Renewal

Receipt - AL0055280.pdf

Importance:

High

Clint,

Attached are two additional copies of the Tarrant Quarry NPDES Permit renewal fee receipt. One is the email receipt and the second is the receipt that appeared on the computer screen after the payment was confirmed.

Charlie

From: Stephens, Charlie (MidSouth Paving)
Sent: Friday, September 29, 2017 2:13 PM
To: Clint Davis <clint@lespeaks.com>

Subject: FW: [EXT] ADEM General Invoice payments - 20170929000034890

Importance: High

From: receipts@alabamainteractive.org [mailto:receipts@alabamainteractive.org]

Sent: Friday, September 29, 2017 2:12 PM

To: Stephens, Charlie (MidSouth Paving) < Charlie. Stephens@midsouthpaving.com>

Subject: [EXT] ADEM General Invoice payments - 20170929000034890

Your transaction is complete.

Please PRINT the receipt below for your records.

Receipt Confirmation Page

ADEM requires that when you pay online, you MUST print out the confirmation information and submit it as proof of payment with your permit application or any other correspondence requiring proof of payment.

Payment Summary	AND FIRE		
Payment Item	Fee		
Online Payment - 09/29/2017 14:11:29	\$5.820.00		
Total Fee through Alabama.gov (more info)	\$5,822.00		

Receipt Confirmation Number: 20170929000034890

General Invoice Information

Choose the type of payment you are making: 6570-OTHER FEES (Must Enter Description of Other Fees)

Description of Other Fees: NPDES Permit Renewal Fee - AL0055280

Additional Information/Fee Description: Mining & Natural Resources Section Attention: Michael Bergh

Number on your ADEM invoice:

Date on your ADEM invoice:

Contact Information

Company/Facility or Individual Name: Midsouth Paving, Inc. dba Midsouth Aggregates

Facility Permit Number (if applicable): AL0055280
Company or Facility Phone: 205-995-5885
Contact Person: Charlie Stephens

Contact Phone: 205-533-4390

Contact email address: charlie.stephens@midsouthpaving.com

Name of an ADEM Program Staff Member (if known): Michaels Bergh

This is a system generated message. Please do not reply to this email.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you are expecting this email and know the contents are safe. ATTENTION: Ce courriel vient de l'exterieur de l'entreprise. Ne cliquez pas sur les liens, et n'ouvrez pas les pièces jointes, à moins que vous ne connaissiez l'expéditeur du courriel et savez que le contenu est sécuritaire.

Total Control Panel Login

To: clint@lespeaks.com

Remove this sender from my allow list

From:

charlie.stephens@midsouthpaving.com

You received this message because the sender is on your allow list.

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (ADEM) NPDES INDIVIDUAL PERMIT APPLICATION

SURFACE & UNDERGROUND MINERAL & ORE OR MINERAL PRODUCT MINING, QUARRYING, EXCAVATION, BORROWING, HYDRAULIC MINING, STORAGE, PROCESSING, PREPARATION, RECOVERY, HANDLING, LOADING, STORING, OR DISPOSING ACTIVITIES AND ASSOCIATED AREAS INCLUDING PRE-MINING SITE DEVELOPMENT, CONSTRUCTION, EXCAVATION, CLEARING, DISTURBANCE, RECLAMATION, AND ASSOCIATED AREAS

INSTRUCTIONS: COMPLETE ALL QUESTIONS. RESPOND WITH "N/A" AS APPROPRIATE. INCOMPLETE OR INCORRECT ANSWERS OR MISSING SIGNATURES WILL DELAY PROCESSING. ATTACH ADDITIONAL COMMENTS OR INFORMATION AS NEEDED. IF SPACE IS INSUFFICIENT, CONTINUE ON AN ATTACHED SHEET(S) AS NECESSARY. COMMENCEMENT OF ACTIVITIES APPLIED FOR AS DETAILED IN THIS APPLICATION ARE NOT AUTHORIZED UNTIL PERMIT COVERAGE HAS BEEN ISSUED BY THE DEPARTMENT.

DEPARTMENT.	o Alterention	THE NOT HOTH	ONIZED CITTLE TERMIT	COVERN	GE TIME BEE	1 100000 01 THE
		PLEASE TYPE OR	PRINT IN INK ONLY.		\$ 582	10.00
		PURPOSE OF T	HIS APPLICATION			
☐ Initial Permit Application for ☐ Modification of Existing Pe☐ Reissuance & Transfer of E	rmit 🛛	Reissuance of Existin	ig Permit	Reissuanc		nitted less than 5 acres) ion Existing Permit
I. GENERAL INFORMATION	1					
NPDES Permit Number (Not	applicable if initial	permit application):	County(s) in which Facility	y is Located	J:	
AL_0055280			Jefferson			
		-				
Company/Permittee Name:			Facility Name (e g., Mine	Name, Pit N	Name, etc.):	
Midsouth Paving, Inc.	dba Midsouth	Aggregates	Tarrant Quarry			
Mailing Address of Company			Physical Address of Facility (as near as possible to entrance):			ntrance):
Riverhills Park, Suite	2475 Seaboard Rd.					
City:	State:	Zip:	City:	Si	tate:	Zip:
Birmingham	AL	35242	Birmingham	ΑI	,	35217
Permittee Phone Number:		Permittee Fax Numb		Latitude	and Longitude	of entrance:
205-995-5885		N/A		33° 34	' 46.4''N –	86° 47' 15.7"W
TERMINA !		-				
Responsible Official (as descr	ibed on page 13 of	this application):	Responsible Official Title:			
Timothy G. Mullendor	·e		Vice President			,
Mailing Address of Responsib	ole Official:		Physical Address of Responsible Official:			
Same as Company			Same as Company			
City:	State:	Zìp:	City:	St	late:	Zip:
Phone Number of Responsible	Official:	Fax Number of Resp	ponsible Official:	Email Ad	dress of Respo	onsible Official:
Facility Contact:			Facility Contact Title:			
Charlie Stephens			Environmental Man	ager		
Physical Address of Facility C Same as Company	ontact:		Phone Number of Facility 205-533-4390		Fax Number 205-437-	of Facility Contact: 4613
City: Same as Company	State:	Zip:	Email Address of Facility cstephens@midsout		com	

ADEM Form 315 07/15 m4 Page 1 of 12

II. MEMBER INFORMATION Identify the name, title/position, and unless waived in writing by the Department, the residence address of every officer, general partner, LLP partner, LLC member, investor, director, or person performing a function similar to a director, of the applicant, and each person who is the record or beneficial owner of 10 percent or more of any class of voting stock of the applicant, or any other responsible official(s) of the applicant with legal or decision making responsibility or authority for the facility: Title/Position: Physical Address of Residence (P.O. Box is Not Acceptable) Name: Other than the "Company/Permittee" listed in Part 1., identify the name of each corporation, partnership, association, and single proprietorship for which any individual identified in Part II.A. is or was an officer, general partner, LLP partner, LLC member, investor, director, or individual performing a function similar to a director, or principal (10% or more) stockholder, that had an Alabama NPDES permit at any time during the five year (60 month) period immediately preceding the date on which this form is signed: Name of Corporation, Partnership, Title/Position in Corporation, Partnership, Name of Individual from Part II.A.: Association, or Single Proprietorship: Association, or Single Proprietorship: III. LEGAL STRUCTURE OF APPLICANT A. Indicate the legal structure of the "Company/Permittee" listed in Part 1: Association ☐ Individual ☐ Single Proprietorship ☐ Partnership LLP LLP ☑ LLC Government Agency: ___ Other: _ If not an individual or single proprietorship, is the "Company/Permittee" listed in Part 1. properly registered and in good Yes □ No standing with the Alabama Secretary of State's Office? (If the answer is "No." attach a letter of explanation.) Parent Corporation and Subsidiary Corporations of Applicant, if any: Old Castle Materials, Inc. Land Owner(s): Drummond Company, Inc. D. Mining Sub-contractor(s)/Operator(s), if known: None E.

łV.	IV. COMPLIANCE HISTORY		
A.	A. Has the applicant ever had any of the following:		
	Yes No (1) An Alabama NPDES, SID, or UIC permit suspended or terminated?		
	(2) An Alabama license to mine suspended or revoked?		
	(3) An Alabama or federal mining permit suspended or terminated?		
	(4) A reclamation bond, or similar security deposited in lieu of a bond, or portion thereof, forfeited?	Yes	No
	(5) A bond or similar security deposited in lieu of a bond, or portion thereof, the purpose of which was to see with any requirement of the Alabama Water Improvement Commission or Alabama Department of Envir Management, forfeited? (If the response to any item of Part IV.A. is "Yes," attach a letter of explanation	ronmental	
B.		the applicant, parent corporate months) period preceding the	e date

ADEM Form 315 07/15 m4 Page 2 of 12

V. OTHER PERMITS/AUTHORIZATIONS	
A. List any other NPDES or other environmental permits (including permit numbers), authorizations, or certifications that have been applied for issued within the State by ADEM, EPA, Alabama Surface Mining Commission_(ASMC), Alabama Department of Industrial Relations (ADIR or other agency, to the applicant, parent corporation, subsidiary, or LLC member for this facility whether presently effective, expired, suspended, revoked, or terminated:	
None	_
B. List any other NPDES or other ADEM permits (including permit numbers), authorizations, or certifications that have been applied for or issu within the State by ADEM, EPA, ASMC, or ADIR, to the applicant, parent corporation, subsidiary, or LLC member for other facilities wheth presently effective, expired, suspended, revoked, or terminated:	
SEE ATTACHED	_
VI. PROPOSED SCHEDULE	
Anticipated Activity Commencement Date: Sept 2002 Anticipated Activity Completion Date: ~2017	_
VVV 4 CONTINUENT DESCRIPTION A PURPOS VA TVON	
A. Proposed Total Area of the Permitted Site: 75 acres Proposed Total Disturbed Area of the Permitted Site: 7 acres	
B. Township(s), Range(s), Section(s): T-17-S R-2-W Sec 6 & 7	—
C. Detailed Directions to Site: From Montgomery travel N on 165 to BHM. Exit right onto I 20/59. Exit #128	
Tallapoosa Road/ 40th St. Take Tallapoosa St. to Vanderbilt Rd (Hwy 79). Turn left onto Cedar Ct. Right	
onto Oak Forrest Blvd. Oak Forrest becomes Seaboard D. Is/will this facility: Yes No	
(1) an existing facility which currently results in discharges to State waters?	
(2) a proposed facility which will result in a discharge to State waters?	
(2) a proposed facility which will result in a discharge to State waters?	
(5) discharge to waters of or be located in the Coastal Zone?	
(6) need/have ADEM UIC permit coverage?	
(7) be located on Indian/ historically significant lands?	
(9) need/have ASMC permit coverage?	
(10) need/have ADIR permit coverage?	
(3) be located within any 100-year flood plain? (4) discharge to Municipal Separate Storm Sewer? (5) discharge to waters of or be located in the Coastal Zone? (6) need/have ADEM UIC permit coverage? (7) be located on Indian/ historically significant lands? (8) need/have ADEM SID permit coverage? (9) need/have ASMC permit coverage? (10) need/have ADIR permit coverage? (11) generate, treat, store, or dispose of hazardous or toxic waste? (If "Yes," attach a detailed explanation.) (12) be located in or discharge to a Public Water Supply (PWS) watershed or be located within ½ mile of any PWS well?	
VIII. MATERIAL TO BE REMOVED, PROCESSED, OR TRANSLOADED	
List relative percentages of the mineral(s) or mineral product(s) that are proposed to be and/or are currently mined, quarried, recovered, prepare	
processed, handled, transloaded, or disposed at the facility. If more than one mineral is to be mined, list the relative percentages of each mine by tonnage for the life of the mine.	rai
Dirt &/or ChertSand &/or GravelChalkTalcCrushed rock (other)
BentoniteIndustrial SandMarbleShale &/or Common ClaySandstone	
CoalKaolinCoal fines/refuse recoveryCoal product, cokeSlag, Red Rock	
Fire claylron oreDimension stonePhosphate rockPhosphate rock	
Bauxitic ClayBauxite Ore 100Limestone, crushed limestone and dolomite	
Gold, other trace minerals: Other:	
Other:Other:	_
Other:Other:	

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IX. PROPOSED ACTIVITY TO BE CONDUCTED Type(s) of activity presently conducted at applicant's existing facility or proposed to be conducted at facility (check all that apply): Surface mining Underground mining ☐ Quarrying Auger mining ☐ Hydraulic mining Within-bank mining ☐ Solution mining Mineral storing Lime production Cement production Synthetic fuel production Alternative fuels operation Mineral dry processing (crushing & screening) Mineral wet preparation Other beneficiation & manufacturing operations Mineral loading ☐ Chemical processing or leaching Mineral transportation ____rail ____barge X__truck Construction related temporary borrow pits/areas ☐ Preparation plant waste recovery Hydraulic mining, dredging, instream or between stream-bank mining ☐ Grading, clearing, grubbing, etc. Pre-construction ponded water removal ☐ Excavation Pre-mining logging or land clearing Waterbody relocation or other alteration Creek/stream crossings ☐ Onsite construction debris or equipment storage/disposal ☐ Onsite mining debris or equipment storage/disposal Reclamation of disturbed areas Chemicals used in process or wastewater treatment (coagulant, biocide, etc.) Adjacent/associated asphalt/concrete plant(s) Low volume sewage treatment package plant Other: Description: Limestone Mining B. Primary SIC Code: 1422 Secondary SIC Code(s):____ Description: _ D. Narrative Description of the Activity. The operation consists of reclamation of a limestone mine. Existing stockpiles, buildings, crushing facilities, tanks etc. have been removed in order to return the property to the landowner. The landowner is in control of the property. X. FUEL - CHEMICAL HANDLING, STORAGE & SPILL PREVENTION CONTROL & COUNTERMEASURES (SPCC) PLAN ☑ No Will fuels, chemicals, compounds, or liquid waste be used or stored onsite? ☐ Yes If "Yes," identify the fuel, chemicals, compounds, or liquid waste and indicate the volume of each: gallons gallons gallons gallons gallons gallons If "Yes," a detailed SPCC Plan with acceptable format and content, including diagrams, must be attached to application in accordance with ADEM Admin. Code R. 335-6-6-12(r). Unless waived in writing by the Department on a programmatic, categorical, or individual compound/chemical basis, Material Safety Data Sheets (MSDS) for chemicals/compounds used or proposed to be used at the facility must be included in the SPCC Plan submittal. XI. POLLUTION ABATEMENT & PREVENTION (PAP) PLAN For non-coal mining facilities, a PAP Plan in accordance with ADEM Admin. Code r. 335-6-9-.03 has been completed and is attached as part of this application. For coal mining facilities, a detailed PAP Plan has been submitted to ASMC according to submittal procedures ☐ Yes ☒ No for ASMC regulated facilities. (1) If "Yes" to Part XI.B., provide the date that the PAP Plan was submitted to ASMC: (2) If "No" to Part XI.B., provide the anticipated date that the PAP Plan will be submitted to ASMC: N/A XII. ASMC REGULATED ENTITIES No No ☐ Yes Is this coal mining operation regulated by ASMC? If "Yes", provide copies as part of this application of any pre-mining hydrologic sampling reports and Hydrologic Monitoring Reports which

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have been submitted to ASMC within the 36 months prior to submittal of this application.

XIII. TOPOGRAPHIC MAP SUBMITTAL

Attach to this application a 7.5 minute series U.S.G.S. topographic map(s) or equivalent map(s) no larger than, or folded to a size of 8.5 by 11 inches (several pages may be necessary), of the area extending to at least one mile beyond property boundaries. The topographic or equivalent map(s) must include a caption indicating the name of the topographic map, name of the applicant, facility name, county, and township, range, & section(s) where the facility is located. Unless approved in advance by the Department, the topographic or equivalent map(s), at a minimum, must show:

- An accurate outline of the area to be covered by the permit
- An outline of the facility (b)

- All surrounding unimproved/improved roads
- All existing and proposed disturbed areas (c)
- High-tension power lines and railroad tracks (i)

(d) Location of discharge areas

- (k) Buildings and structures, including fuel/water tanks
- Proposed and existing discharge points (e)
- Contour lines, township-range-section lines (I)
- Perennial, intermittent, and ephemeral streams (f)
- (m) Drainage patterns, swales, washes
- (g) Lakes, springs, water wells, wetlands
- (n) All drainage conveyance/treatment structures (ditches, berms, etc.)
- All known facility dirt/improved access/haul roads (o) Any other pertinent or significant feature

XIV. DETAILED FACILITY MAP SUBMITTAL

Attach to this application a 1:500 scale or better, detailed auto-CAD map(s) or equivalent map(s) no larger than, or folded to a size of 8.5 by 11 inches (several pages may be necessary), of the facility. The facility map(s) must include a caption indicating the name of the facility, name of the applicant, facility name, county, and township, range, & section(s) where the facility is located. Unless approved in advance by the Department, the facility or equivalent map(s), at a minimum, must show:

- Information listed in Item XII (a) (o) above
- Location of mining or pond cleanout waste storage/disposal areas
- (b) If noncoal, detailed, planned mining progression
- (f) Other information relevant to facility or operation
- (c) If noncoal, location of topsoil storage areas (g)
- Location of facility sign showing Permittee name, facility name, and NPDES Number
- (d) Location of ASMC bonded increments (if applicable)

XV. RECEIVING WATERS

List the requested permit action for each outfall (issue, reissue, add, delete, move, etc.), outfall designation including denoting "E" for existing and "P" for proposed outfalls, name of receiving water(s), whether or not the stream is included in a TMDL, latitude and longitude (to seconds) of location(s) of each discharge point, distance of receiving water from outfall in feet, number of disturbed acres, the number of drainage acres which will drain through each treatment system, outfall, or BMP, and if the outfall discharges to an ADEM listed CWA Section 303(d) waterbody segment at the time of application submittal.

Action	Outfall E/P	Receiving Water	Latitude	Longitude	Distance to Rec. Water	Disturbed Acres	Drainage Acres	ADEM WUC	303(d) Segment (Y/N)	TMDL Segment* (Y/N)
Re-Issue	001E	Five Mile Creek	33° 34' 55.1"	86° 47' 15.8"	1035'	6.5	25	F&W	N	N
Re-Issue	002E	Five Mile Creek	33° 34` 42.9``	85° 47' 16.5''	2201'	0.5	55	f&W	Z	N
		Colorador de Color								

^{*}If a TMDL Compliance Schedule is requested, the following should be attached as supporting documentation: (1) Justification for the requested Compliance Schedule (e.g. time for design and installation of control equipment, etc.); (2) Monitoring results for the pollutant(s) of concern which have not previously been submitted to the Department (sample collection dates, analytical results (mass and concentration), methods utilized, MDL/ML. etc. should be reported as available); (3) Requested interim limitations, if applicable; (4) Date of final compliance with the TMDL limitations; and (5) Any other additional information available to support the requested compliance schedule.

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XVI. DISCHARGE CHARACTERIZATION Modified EPA Form 2C Submittal Yes, pursuant to 40 CFR 122.21, the applicant requests a waiver for completion of the modified EPA Form 2C and certifies that the operating facility will discharge treated stormwater only, unless waived in writing by the Department on a programmatic, categorical, or individual compound/chemical basis that chemical/compound additives are not used, and that there are no process, manufacturing, or other industrial operations or wastewaters, including but not limited to lime or cement production, synfuel operations, etc., and that coal and coal products are not mined nor stored onsite. No, the applicant does not request a waiver and a complete modified EPA Form 2C is attached. B. The applicant is required to supply the following information separately for every P or E outfall. If necessary, attach extra sheets. List expected average daily discharge flow rate in cfs and gpd, frequency of discharge in hours per day and days per month, average summer and winter temperature of discharge(s) in degrees centigrade (C), average pH in standard units, average daily discharge in pounds per day of BODs, Total Suspended Solids, Total Iron, Total Manganese, and Total Aluminum (if bauxite or bauxitic clay): Flow cfs Information Flow gpd Frequency Sum/Win BOD₅ TSS Frequ pΗ Tot Fe Tot Mn Tot Al E/P Source - # hours/day Temp, °C lbs/day ency lbs/day s.u. lbs/day lbs/day lbs/day of Samples days/ mth 001E 2 BPE 100,000 8 30/31 26°/7° 8 2.5 10 0.05 0.004 N/A 002E **BPE** 100,000 7.7 1 MGD 8 30/31 26°/7° 2.75 2.13 NA 0.055 0.005

BPE- Best Professional Estimate

Values from previous approved permit applications, the facility had no discharges during the previous permit cycle.

C. The applicant is required to supply the following information separately for every P or E outfall. If necessary, attach extra sheets. Identify and list expected average daily discharge in pounds per day of any other pollutant(s) listed in EPA Form 2C, Item V – Intake And Effluent Characteristics, Parts A, B, & C that are not referenced in Part XV.B., that you know is present or have reason to believe could be present in the discharge(s) at levels of concern:

Outfall E/P	Reason Believed Present	Information Source - # of Samples	lbs/day	lbs/day	lbs/day	lbs/day	lbs/day	lbs/day	lbs/day	lbs/day	lhs/day
None E	xpected								·		
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XVII. DISCHARGE STRUCTURE DESCRIPTION & POLLUTANT SOURCE

The applicant is required to supply outfall number(s) as it appears on the map(s) required by this application [if this application is for a modification to an existing permit do not change the numbering sequence of the permitted outfalls], describe each, (e.g., pipe, spillway, channel, tunnel, conduit, well, discrete fissure, or container), and identify the origin of pollutants. The response must be precise for each outfall. If the discharge of pollutants from any outfall is the result of commingling of waste streams from different origins, each origin must be completely described.

Outfall	Discharge structure Description	Description of Origin Of pollutants	Surface Discharge	Groundwater Discharge	Wet Prep -Other Production Plant	Pumped or Controlled Discharge	Low Volume STP	Other
001E	None (pipe removed during reclamation)	7, 9, 10	X	N/A	N/A	N/A	N/A	N/A
002E	Pipe	7, 9, 10	X	N/A	N/A	N/A	N/A	N/A
		,						

Origin of Pollutants – typical examples: (1) Discharge of drainage from the underground workings of an underground coal mine. (2) Discharge of drainage from a coal surface mine, (3) Discharge of drainage from a coal preparation plant and associated areas, (4) Discharge of process wastewater from a gravel-washing plant, (5) Discharge of wastewater from an existing source coal preparation plant, (6) Discharge of drainage from a sand and gravel pit, (7) Pumped discharge from a limestone quarry, (8) Controlled surface mine drainage (pumped or siphoned). (9) Discharge of drainage from mine reclamation, (10) Other: Granite Mining (11) Associated Asphalt Plant (12) Coagulant and Flocculent Treatments to granite process water

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XVIII. PROPOSED NEW OR INCREASED DISCHARGES

۱.	Pursuant to ADEM Admin. Code Chapter 335-6-1012(9), responses to the following questions must be provided by the applicant requesting NPDES permit coverage for new or expanded discharges of pollutant(s) to Tier 2 waters (except discharges eligible for coverage under general permits). As part of the permit application review process, the Department is required to consider, based on the applicant's demonstration, whether the proposed new or increased discharge to Tier 2 waters is necessary for important economic or social development in the area in which the waters are located.
	Yes. New/increased discharges of pollutant(s) or discharge locations to Tier 2 waters are proposed.
	No. New/increased discharges of pollutants(s) or discharge locations to Tier 2 waters are not proposed.
3.	If "Yes," complete Items 1 through 6 of this Part (XVII.B.), ADEM Form 311-Alternative Analysis, and either ADEM Form 312 or ADEM Form 313-Calculation of Total Annualized Project Costs (Public-Section or Private-Sector, whichever is applicable). ADEM Form 312 or ADEM Form 313, whichever, is applicable, should be completed for each technically feasible alternative evaluated on ADEM Form 311. ADEM Forms can be found on the Department's website at www.adem.alabama.gov/DeptForms . Attach additional sheets/documentation and supporting information as needed.
	(1) What environmental or public health problem will the discharge be correcting?
	(2) How much will the discharger be increasing employment (at its existing facility or as a result of locating a new facility)?
	(3) How much reduction in employment will the discharger be avoiding?
	(4) How much additional state or local taxes will the discharger be paying?
	(1) How made additional state of rotal taxes with the dissimilar to paying.
	(5) What public service to the community will the discharger be providing?
	(6) What economic or social benefit will the discharger be providing to the community?

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XIX. POLLUTION ABATEMENT PLAN (PAP) SUMMARY

XIX.	POL	JUHO	N ABATEMENT PLAN (PAP) SUMMARY
Y	N	N/A	Outfall(s): 001, 002
X			Runoff from all areas of disturbance is controlled
X			Drainage from pit area, stockpiles, and spoil areas directed to a sedimentation pond
Х			Sedimentation basin at least 0.25 acre/feet for every acre of disturbed drainage
X			Sedimentation basin cleaned out when sediment accumulation is 60% of design capacity
X4	ΧÌ		Trees, boulders, and other obstructions removed from pond during initial construction
Χ4	Xì		Width of top of dam greater than 12'
X4	ХI		Side slopes of dam no steeper than 3:1
X4	ΧI		Cutoff trench at least 8' wide
X4	ΧI		Side slopes of cutoff trench no less than 1:1
X4	XΙ		Cutoff trench located along the centerline of the dam
X4	XΙ		Cutoff trench extends at least 2' into bedrock or impervious soil
X4	ΧI		Cutoff trench filled with impervious material
X4	XΙ		Embankments and cutoff trench 95% compaction standard proctor ASTM
X4	ХΙ		Embankment free of roots, tree debris, stones >6" diameter, etc.
Х			Embankment constructed in lifts no greater than 12"
X			Spillpipe sized to carry peak flow from a one year storm event
X			Spillpipe will not chemically react with effluent
X			Subsurface withdrawal
	XI		Anti-seep collars extend radially at least 2' from each joint in spillpipe
X		4	Splashpad at the end of the spillpipe
	X	10.	Emergency Spillway sized for peak flow from 25-yr 24-hr event if discharge not into PWS classified stream
	20	X2	Emergency spillway sized for peak flow from 50-yr 24-hr event if discharge is into PWS classified stream
	X6	16.67	Emergency overflow at least 20' long
	X6	71-14	Side slopes of emergency spillway no steeper than 2:1
	X6	HE.	Emergency spillway lined with riprap or concrete
	X6	727	Minimum of 1.5' of freeboard between normal overflow and emergency overflow
13	X6	T K	Minimum of 1.5' of freeboard between max. design flow of emergency spillway and top of dam
	X6		All emergency overflows are sized to handle entire drainage area for ponds in series
	X6	1	Dam stabilized with permanent vegetation
X	44		Sustained grade of haul road <10%
X	4117	9 70	Maximum grade of haul road <15% for no more than 300'
X			Outer slopes of haul road no steeper than 2:1
X			Outer slopes of haul road vegetated or otherwise stabilized
		X5	Detail drawings supplied for all stream crossings
Х			Short-Term Stabilization/Grading And Temporary Vegetative Cover Plans
X			Long-Term Stabilization/Grading And Permanent Reclamation or Water Quality Remediation Plans

X The applicant has completed the surface water discharge alternatives analysis and has supporting documentation, including annualized costs for each technically feasible alternative available for review upon request

IDENTIFY AND PROVIDE DETAILED EXPLANATION FOR ANY "N" OR "N/A" RESPONSE(s):

- X1: Outfall 002 pumped discharge from the pit; No dam exists; pump has been removed during reclaimation

 X2: Receiving waters are not PWS

 X3: Spillway stabilized with heavy natural vegetation is a valid alternative

 X4: Outfall 001 general requirements for the structure should repairs or routine maintenance occurs.

 The outfall exists and was certified prior to this application

 X5: No designed stream crossings for this application period
- X6: Neither discharge point are designed to have a spillway. The pond and pit are expected to handle the stormwater runoff without discharging. Point 001 does not have a discharge pipe or spillway. If the basin fills up the entire dam will be overtopped. The property is being managed by the landowner.

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XX, F	POLL	OITU.	N ABATEMENT PLAN (PAP) REVIEW CHECKLIST
Y	N	N/A	
X			PE Seal with License #
X			Name and Address of Operator
Х			Legal Description of Facility
			General Information:
X			Name of Company
X			Number of Employees
Х			Products to be Mined
Х			Hours of Operation
X			Water Supply and Disposition
			Topographic Map:
XI			Mine Location
Х			Location of Prep Plant
X			Location of Treatment Basins
Х			Location of Discharge Points
Х			Location of Adjacent Streams
		- N	1"- 500' or Equivalent Facility Map:
X	- 0	756	Drainage Patterns
X		No.	Mining Details
X	-1	No.	All Roads, Structures Detailed
X		5.1	All Treatment Structures Detailed
		. 4.	Detailed Design Diagrams:
X	4		Plan Views
X			Cross-section Views
X		1.30	Method of Diverting Runoff to Treatment Basins
E.			Narrative of Operations:
X			Raw Materials Defined
X	7.6		Processes Defined
X			Products Defined
			Schematic Diagram:
X		1	Points of Waste Origin
X		1. 10	Collection System
X			Disposal System
			Post Treatment Quantity and Quality of Effluent:
X	1		Flow
X			Suspended Solids
X			Iron Concentration
X			рН
			Description of Waste Treatment Facility:
Х	Щ	<u> </u>	Pre-Treatment Measures
X			Recovery System
X			Expected Life of Treatment Basin
X			Schedule of Cleaning and/or abandonment
			Other:
X	\square		Precipitation/Volume Calculations/Diagram Attached
X	$\sqcup \sqcup$		BMP Plan for Haul Roads
Х	\square		Measures for Minimizing Impacts to Adjacent Stream i.e., Buffer Strips, Berms, etc.
Х	\square		Methods for Minimizing Nonpoint Source Discharges
X	Щ		Facility Closure Plans
	X		PE Rationale(s) For Alternate Standards, Designs or Plans

IDENTIFY AND PROVIDE DETAILED EXPLANATION FOR ANY "N" OR "N/A" RESPONSE(s):

VII Prop plant is bo	ing discombled and is not appreciated. The plant will not be appreciated during this possible and
XII: Prep plant is be	ing dissembled and is not operational. The plant will not be operational during this permit cycle

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Contact the Department <u>prior</u> to submittal with any questions or to request acceptable alternate content/format. Be advised that you are not authorized to commence regulated activity until this application can be processed, publicly noticed, and approval to proceed is received in writing from the Department.

EPA Form(s) 1 and 2F need not be submitted unless specifically required by the Department. EPA Form(s) 2C and/or 2D are required to be submitted unless the applicant is eligible for a waiver and the Department grants a waiver.

Planned/proposed mining sites that are greater than 5 acres, that mine/process coal or metallic mineral/ore, or that have wet or chemical processing, must apply for and obtain coverage under and Individual NPDES Permit prior to commencement of any land disturbance. Such coverage may be requested via this ADEM Form 315.

The applicant is advised to contact:

- (1) The Alabama Surface Mining Commission (ASMC) if coal, coal fines, coal refuse, or other coal related materials are mined, transloaded, processed, etc.;
- (2) The Alabama Department of Industrial Relations (ADIR) if conducting non-coal mining operations;
- (3) The Alabama Historical Commission for requirements related to any potential historic or culturally significant sites;
- (4) The Alabama Department of Conservation and Natural Resources (ADCNR) for requirements related to potential presence of threatened/endangered species; and
- (5) The US Army Corps of Engineers, Mobile or Nashville Districts, if this project could cause fill to be placed in federal waters or could interfere with navigation.

The Department must be in receipt of a completed version of this form, including any supporting documentation, and the appropriate processing fee (including Greenfield Fee and Biomonitoring & Toxicity Limits fee(s), if applicable), prior to development of a draft NPDES permit. Send the completed form, supporting documentation, and the appropriate fees to:

Water Division

Alabama Department of Environmental Management
Post Office Box 301463

Montgomery, Alabama 36130-1463
Phone: (334) 271-7823
Fax: (334) 279-3051

h2omail@adem.state.al.us www.adem.alabama.gov

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XXIL PROFESSIONAL ENGINEER (PE) CERTIFICATION

A detailed, comprehensive Pollution Abatement/Prevention Plan (PAP) must be prepared, signed, and certified by a professional engineer (PE), registered in the State of Alabama as follows:

"I certify on behalf of the applicant, that I have completed an evaluation of discharge alternatives (Item XVIII) for any proposed new or increased discharges of pollutant(s) to Tier 2 waters and reached the conclusions indicated. I certify under penalty of law that technical information and data contained in this application, and a comprehensive PAP Plan including any attached SPCC plan, maps, engineering designs, etc. acceptable to ADEM, for the prevention and minimization of all sources of pollution in stormwater and authorized related process wastewater runoff has been prepared under my supervision for this facility utilizing effective, good engineering and pollution control practices and in accordance with the provisions of ADEM Admin. Code Division 335-6, including Chapter 335-6-9 and Appendices A & B. If the PAP plan is properly implemented and maintained by the Permittee, discharges of pollutants can reasonably be expected to be effectively minimized to the maximum extent practicable and according to permit discharge limitations and other permit requirements. The applicant has been advised that appropriate pollution abatement/prevention facilities and structural & nonstructural management practices or Department approved equivalent management practices as detailed in the PAP plan must be fully implemented and regularly maintained as needed at the facility in accordance with good sediment, erosion, and other pollution control practices, permit requirements, and other ADEM requirements to ensure protection of groundwater and surface water quality."

Address 535 Herron Street. Montgomery, Al 36104	PE Registration # 20897
Name and Title (type or print) Steven, E. Speaks, PE/PLS Signature	Phone Number 334-262-1091 Date Signed 10-2-2011

XXIII. RESPONSIBLE OFFICIAL SIGNATURE'

This application must be signed by a Responsible Official of the applicant pursuant to ADEM Admin. Code Rule 335-6-6-.09 who has overall responsibility for the operation of the facility.

"I certify under penalty of law that this document, including technical information and data, the PAP plan, including any SPCC plan, maps, engineering designs, and all other attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the PE and other person or persons under my supervision who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine or imprisonment for knowing violations.

A comprehensive PAP Plan to prevent and minimize discharges of pollution to the maximum extent practicable has been prepared at my direction by a PE for this facility utilizing effective, good engineering and pollution control practices and in accordance with the provisions of ADEM Admin. Code Division 335-6, including Chapter 335-6-9 and Appendices A & B, and information contained in this application, including any attachments. I understand that regular inspections must be performed by, or under the direct supervision of, a PE and all appropriate pollution abatement/prevention facilities and structural & nonstructural management practices or Department approved equivalent management practices identified by the PE must be fully implemented prior to and concurrent with commencement of regulated activities and regularly trianntained as needed at the facility in accordance with good sediment, erosion, and other pollution control practices and ADEM requirements. I understand that the PAP plan must be fully implemented and regularly maintained so that discharges of pollutants can reasonably be expected to be effectively minimized to the maximum extent practicable and according to permit discharge limitations and other requirements to ensure protection of groundwater and surface water quality. I understand that failure to fully implement and regularly maintain required management practices for the protection of groundwater and surface water quality may subject the Permittee to appropriate enforcement action.

I certify that this form has not been altered, and if copied or reproduced, is consistent in format and identical in content to the ADEM approved form.

I further certify that the discharges described in this application have been tested or evaluated for the presence of non-stormwater discharges and any non-mining associated beneficiation/process pollutants and wastewaters have been fully identified."

Name (type on print) Timothy G. Mullendore	Official Title Vice President
Signature Transthy & Mullandor	Date Signed 9-27-17

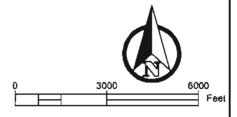
'335-6-6-.09 Signatories to Permit Applications and Reports.

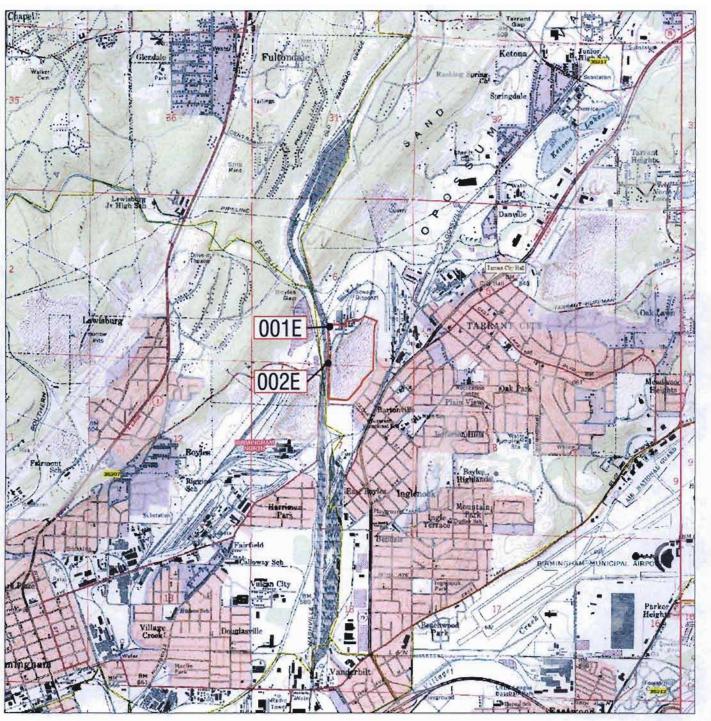
(1) The application for an NPDES permit shall be signed by a responsible official, as indicated below:

- (a) In the case of a corporation, by a principal executive officer of at least the level of vice president, or a manager assigned or delegated in accordance with corporate procedures, with such delegation submitted in writing if required by the Department, who is responsible for manufacturing, production, or operating facilities and is authorized to make management decisions which govern the operation of the regulated facility;
- (b) In the case of a partnership, by a general partner;
- (c) In the case of a sole proprietorship, by the proprietor; or
- (d) In the case of a municipal, state, federal, or other public entity by either a principal executive officer, or ranking elected official.

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Midsouth Paving, Inc. dba Midsouth Aggregates Tarrant Quarry Located in Section 6 & 7, T-17-S, R-2-W Birmingham North Quadrangle Jefferson County, Alabama





Point	Latitude	Longitude
001E	33° 34' 55.1"	86° 47' 15.8"
002E	33°34' 42.9"	86° 47' 16.5 "

Date: 09/29/2017



Pollution Abatement Plan (PAP)

for:

Tarrant Quarry 2475 Seaboard Road Birmingham, AL 35217 334-749-0003

Operator:

Midsouth Paving, Inc. dba Midsouth Aggregates
500 Riverhills Park Suite 590
Birmingham, Al 35242
205-985-5885
cstephens@apacmidsouth.com

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PAP Certifier:

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PAP Preparation Date:

8/28/2012 9/29/2017

Estimated Project Dates:

Project Start Date: ~September 2002

Project Completion Date: ~2017

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SECTION 1: SITE EVALUATION, ASSESSMENT, AND PLANNING

1.1 Introduction

This document has been prepared as a supplement to an application for a permit re-issuance regarding NPDES permit AL0055280 for *Midsouth Paving, Inc. dba Midsouth Aggregates*, Tarrant Quarry located in Section 6 & 7, T-17-S, R-2-W, in Jefferson County, Alabama. This application has been prepared in accordance with the rules and regulations of the Alabama Department of Environmental Management. A thorough field review has been accomplished preceding the approval and submittal of this application. Field checks were made of the entire sedimentation basin system to determine compliance with ADEM rules and regulations.

The pollution abatement plan is presented in two parts which includes a brief narrative presented herein and the Pollution Abatement Plan Drawings and Maps which are attached hereto. The narrative is intended to address the format as outlined by the ADEM Water Division - Water Quality and Control Program, Rules and Regulations, as well as present the basis for the designs as further detailed in the "Pollution Abatement Plan". Drawings as presented in the "Pollution Abatement Plan" were derived from rules and regulations of the ADEM as well as from other generally accepted design data sources primarily from the Natural Resource Conservation Service (NRCS). Generally, the narrative will follow the outline of chapter 6 - 9 -.03, Surface Mining Rules and Regulations from the ADEM Rules and Regulations.

1.2 Project/Site Information

Project/Site Name: Tarrant Quarry		
Project Street/Location: 2475 Seaboard Road		
City: Birmingham	State: AL Z	IP Code: <u>35217</u>
County or Similar Subdivision: Lee County		
Latitude/Longitude of the Project Site (front ga	te).	
Latitude:	Longitude:	
1. 33° 34' 46.39" N (degrees, minutes, seconds)	1. 86° 47' 15.83" W (degrees	, minutes, seconds)
Method for determining latitude/longitude:		
USGS topographic map (specify scale):	☐ EPA We	eb site GPS
Other (please specify): Google Earth, site	e visit	

1.2 Contact Information/Responsible Parties

Operator:

APAC Mid-South, Inc.
Opelika Quarry
500 Riverhills Park Suite 590
Birmingham, Al 35242
205-995-5885-office

Charlie Stephens cstephens@midsouthpaving.com Environmental Manager

Project Manager(s) or Site Supervisor(s):

APAC Mid-South, Inc. Tarrant Quarry 2475 Seaboard Road Birmingham, AL 35217 Neal Minor

PAP Contact/Design Engineer:

Larry E. Speaks & Associates, Inc. Steven E. Speaks, PE/PLS #20897 535 Herron Street Montgomery, Al 36104 334-262-1091 334-262-2211 sspeaks@lespeaks.com

This PAP was Prepared by:

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Clint Davis
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Emergency 24-Hour Contact:

APAC Mid-South, Inc. Charlie Stephens 205-533-4390-mobile

1.3 General Information

Description of the Mining Approximately 75 acres T-17-S, R-2-W Jefferson	of land leased fro	•	y located in sections 6 & 7,
Proposed Activity(ies) to	be Conducted:		
		Mineral Storing	□ Reclamation
☐ Wet Preparation	☐ Dry Prepara	ation	
Mineral Transportation	:⊠ Truck 🔲 !	Rail 🔲 Barge	
☐ Hydraulic Mining	☐ Chemical P	rocessing or Leaching	
☐ Chemicals in process	water or wastev	vater treatment	
☐ Associated Asphalt P	lant		
☐ Associated Concrete	Plant		

Primary Materials to be mine		significant overburden: Shale-Clay Crushed-Dimension Stone
Other (please specify):	Limest	one
Primary SIC Code:	1422	Limestone Mining
Secondary SIC Code:		
Brief Description of Activity:		
Brief Description of Activity.		
Reclamation of a limestone	quarry.	

1.4 Drainage Patterns

The site is an existing limestone quarry. The drainage is directed in to ponds and pits. Ponds and berms discharging from the facility are to be certified and approved discharge points.

1.5 Narrative of Operations

The operation consists of reclamation of a limestone mine. Existing stockpiles, buildings, crushing facilities, tanks etc. are being removed in order to return the property to the landowner.

All drainage will be routed through approved and certified outfalls.

A Spill Prevention Control and Countermeasure (SPCC) Plan in effect for this facility.

1.6 Receiving Waters

Description of receiving waters:

001- Fivemile Creek

002- Fivemile Creek

Description of impaired waters or waters subject to TMDLs: N/A

Other: N/A

1.7	Site Features and Sensitive	e Areas to be Protected
Describe mea	sures to protect these features:	Surface waters and drainage easements
1.8	Potential Sources of Pollut	ion
Overburden, U	ces of sediment to stormwater runoff: Unstabilized slopes Itants and known sources, other than	sediment, to stormwater runoff:
- Communication		
1.9	Endangered Species	
project area? ☐ Yes If yes, ADEM	No Strongly recommends that the site op	ecies and critical habitats on or near the erator work closely with the appropriate field vs.qov/daphne [Daphne, AL (251) 441-5181]
	ama Department of Conservation an	d Natural Resources Wildlife & Freshwater
1.10	Historic Preservation	
Are there any Yes	known historic sites on or near the co ☑ No	nstruction site?
	strongly recommends that the site open nmission's Historic Preservation office	
1.11	Applicable Federal, State o	r Local Programs

NOI Map--USGS Quad Sheet base map& PAP Maps—Aerial Maps

1.12 Maps

SECTION 2: EROSION AND SEDIMENT CONTROL BMPS

2.1 Minimize Disturbed Area

Maintain a 50' buffer on all Waters of the US. Preserve native grasses and trees until stripping is absolutely necessary. All areas not being mined, graded or stockpiled for more than 21 days must be temporarily seeded or stabilized.

2.2 Phases Mining Activities

- Reclamation
 - Removal of all processing equipment done
 - Removal of all fuel and oil product storage done
 - Removal of outfalls and accumulated sediments in treatment ponds
 - Removal of mining debris and stockpiles done
 - Removal of pumps. done
 - Water Quality certification

2.3 Method of Diverting Surface Water Runoff

Installation Schedule:	As necessary
Maintenance and Inspection:	Berms must have 2:1 slopes or better. Inspect berms and ditches Bi monthly. Repair any significant erosion damage upon discovery.
Responsible Staff.	Plant Manager / Site Contact

2.4 Stabilize Soils

□ Permanent	☐ Temporary
Installation Schedule:	As necessary, newly constructed haul roads
Maintenance and Inspection:	Re-seed as the grade changes or if bare areas persist. Inspect: Bi monthly and after significant rain events
Responsible Staff:	Plant Manager / Site Contact

2.5 Stabilize Slopes

BMP Description: Tempora	ary Seeding and Mulching
Installation Schedule:	As necessary, newly constructed haul roads
Maintenance and Inspection:	Re-seed as the grade changes or if bare areas persist. Inspect: Bi monthly and after significant rain events
Responsible Staff:	Plant Manager / Site Contact

2.7 Establish Perimeter Controls and Sediment Barriers

BMP Description: Berms	or Dams
Installation Schedule:	As necessary
Maintenance and Inspection:	Berms must have 2:1 slopes or better Dams must have 3:1 slopes or better Both must have vegetation and or mulch
Responsible Staff:	Plant Manager / Site Contact
BMP Description: Tempora	ary Seeding and Mulching
Installation Schedule:	As necessary; newly constructed haul roads
Maintenance and Inspection:	Re-seed as the grade changes or if bare areas persist. Inspect: Bi monthly and after significant rain events
Responsible Staff:	Plant Manager / Site Contact

2.8 Retain Sediment On-Site

BMP Description: Sedime	nt Basin
Installation Schedule:	Immediately
Maintenance and Inspection:	Remove sediment when the basin is 60% full. Inspect Bi monthly
Responsible Staff:	Plant Manager / Site Contact

2.9 Sediment Control for Haul Roads

- The grade is designed not to exceed 10 percent;
- The maximum grade is designed not to exceed 15 percent for 300 feet;
- The roads are designed not to be more than 300 feet of 15 percent maximum grade for each 1,000 feet of road constructed;
- The haul road should be located so that runoff from the road enters a sediment basin constructed for the mining operation.

- The outer slopes for haul roads out of the permitted area are designed not to be steeper than 2:1 and should be seeded with annual and perennial grasses with at least 80 percent cover to avoid erosion. Where this is not possible, basins, hay filters or diversion ditches should be cut, built or placed to intercept runoff. Details outlining control measures must be included with the abatement plan.
- Stream crossings should be avoided; however any crossings which are necessary and which meet ADEM technical staff approval should be detailed with drawings and any other pertinent data in this report, using best engineering practices.
- Pit roads will be ditched and stabilized so that runoff will be collected as illustrated on the site plan map

Installation Schedule:	As necessary; newly constructed haul roads	
Maintenance and Inspection:	Re-seed as the grade changes or if bare areas persist. Inspect: Bi monthly and after significant rain events	
Responsible Staff:	Plant Manager / Site Contact	
BMP Description: Check I	Dams	
Installation Schedule:	As necessary; newly constructed haul roads	
Maintenance and Inspection:	Remove sediment when over half full, Must be spaced appropriately and properly shaped.	
	Bi monthly and after significant rain events	
Responsible Staff:	Plant Manager / Site Contact	

2.10 Dam for Sediment Basin

The dams for the sediment basins are designed and should be built using the following as minimum criteria:

- The dams for the sediment basins are designed for the top width to be no less than 12 feet wide.
- The slopes on either side of the dams are designed for no steeper than 3:1.
- The dams are designed to be constructed with a cutoff trench at least 8 feet wide. The side slopes of the cutoff trench are designed to be no less than 1:1. The cutoff trench shall be located on the dam centerline and be of sufficient depth (not less than 2 feet) to extend into a relatively impervious material from which the core of the dam shall be constructed.
- Trees, boulders and other obstructions are to be removed from the pond area during initial construction.
- The entire embankment and cutoff trench shall be compacted to 95% density
- The embankment should be free of roots, tree debris, stones >6 inches in diameter and other objectionable materials.
- The fill material should be placed and spread over the entire fill area, starting at the lowest point of the foundation, in layers not to exceed 8 inches in thickness.

- The spillpipe is designed to be sized to adequately carry the expected peak flow from a two-year frequency storm.
- The spillpipes are designed to be made of a material capable of withstanding chemical reactions caused by the quality of water being discharged.
- The spillpipe is designed to be equipped with a device, or constructed, such to ensure that subsurface withdrawal is accomplished in order to help prevent floating solids from discharging.
- The spillpipes are designed to be equipped with anti-seep collars at each joint which radiate at least 2 feet from the pipe in all directions. The collars and their connections to the pipe should be watertight.
- A splash pad or rip-rap is designed to be placed under the discharge of the spillpipe, or the location of the discharge set, so as to ensure that the discharge does not erode the dam; or pipe can be constructed to be level with the natural ground.
- The emergency spillway is designed to safely carry the expected peak flow from a 25 year, 24 hour storm or shorter duration. The slope of the entrance and to the exit to the emergency overflow is designed to be constructed with a control section at least 20 feet long. The side slopes of the emergency overflow should not be steeper than 2:1. The emergency overflow should be rip-rapped or concreted in order to prevent erosion.
- The spillway is designed to have a minimum of 1 ½ feet of freeboard between the normal overflow and the emergency overflow. There should be at least 1 ½ feet of freeboard between the maximum design flow elevation in the emergency overflow and the top of the dam.
- If basins are built in a series, then the emergency overflow for each is designed to accommodate the entire drainage area.
- The dam shall be sowed with both perennial and annual grasses in order to ensure erosion is minimized. The necessary erosion control measures should be place at the toe of the dam prior to any construction activity.
- Areas in which surface mined minerals are stockpiled, and areas in which refuse resulting from any type of mining operation is or has been deposited, should be provided with diversion ditches or other appropriate methods of intercepting surface water in such a way as to minimize the possibility of sediment laden, acidic or toxic waters from such areas, being deposited into a stream.

BMP Description: Tempora	ary Seeding and Mulching			
Installation Schedule: As necessary; newly constructed dams				
Maintenance and Inspection:	Re-seed as the grade changes or if bare areas persist. Inspect Bi monthly and after significant rain events			
Responsible Staff:	Plant Manager / Site Contact			

Installation Schedule:	When final grade and compaction is achieved Reseed sparsely stabilized areas as needed. Inspect weekly until vegetation is fully established and after significant rain events		
Maintenance and Inspection:			
Responsible Staff:	Plant Manager / Site Contact		
BMP Description: Check I	Dams		
Installation Schedule:	As necessary; newly constructed dams		
Maintenance and Inspection:	Remove sediment when over half full, Must be spaced appropriately and properly shaped. Inspect Bi monthly and after significant rain events		
BMP Description: Sedime			
Installation Schedule:	Immediately		
Maintenance and Inspection:	Maintenance and Remove sediment when the basin is 60% full.		
Responsible Staff:	Plant Manager / Site Contact		

2.11 Water Quality and Quantity Characteristics of the Waste

The only waste products which are a by-product of the processes are fines and clays which will settle into the quarry sump or settling pond. Regarding pH, the waste effluent is neutral in nature and should be in the range of 6 to 9. Total suspended solids should not exceed 45 mg/l (daily). The flow depends upon weather conditions, amount of rain, etc. The temperatures should be around 85 F (25 C) summer, 60 F (16 C) winter.

2.12 Waste Treatment Facilities

Treatment for 001 is accomplished in series of 3 ponds (Pond A, B & C). Dimensions: Pond A (150' x 50' x 5') Pond B (80' x 80' x 5') Pond C (150' x 50' x 5'). The basin(s) should be cleaned out when it reaches 60% of the design capacity. Design depth 5' x 60% = 3'. There should be at no time greater than 3' of accumulated sediment in the basin(s).

Treatment for 002 is completed in the previously mined/pit portion of the site. If mining activities cause turbid water conditions in the pit samples should be taken prior to discharge to ensure permit compliance.

SECTION 3: GOOD HOUSEKEEPING (GROUNDS KEEPING) BMPS

3.1 Material Handling and Waste Management

Installation Schedule:	Immediately	
Maintenance and Inspection:	Empty when appropriate, Daily Visual Inspection	
Responsible Staff:	Plant Manager / Site Contact	
named a second		
BMP Description: Bone Ya	ard/ Reusable Materials	
Installation Schedule:	When needed	
Maintenance and Inspection:	Keep materials neatly organized. Stockpiled materials must truly reusable in the foreseeable future.	
Responsible Staff:	Plant Manager / Site Contact	
BMP Description: Facility S	Security	
Installation Schedule:	If needed	
Maintenance and Inspection:	Lock gate to prevent illegal dumping	
	Plant Manager / Site Contact	

3.2 Establish Proper Building Material Staging Areas

Installation Schedule:	Aintenance and Keep materials neatly organized. Stock piled materials must trul		
Maintenance and Inspection:			
Responsible Staff: Plant Manager / Site Contact			
BMP Description: Tempor	ary or Permanent Berm(s)		
	261 8		
Installation Schedule:	If storage area is present		
Installation Schedule: Maintenance and Inspection:	If storage area is present To prevent runoff from the reusable materials from mixing with other runoff.		

3.3 Other BMPs

Installation Schedule:	no active operations and property controlled by landowner
Maintenance and Inspection:	Make all site users aware of the concrete washout procedures and locations
Responsible Staff:	Plant Manager / Site Contact

3.4 Establish Proper Equipment/Vehicle Fueling and Maintenance Practices

Installation Schedule:	If needed		
Maintenance and Inspection:	Concrete or asphalt pad for work areas. Inspect work area for any leaching to groundwater		
Responsible Staff:	Plant Manager / Site Contact		
BMP Description: Fluid Ca	atch Pans		
Installation Schedule:	When needed		
Maintenance and Inspection:	All fluids (hydrocarbons, antifreeze, etc) must be captured and prevented from reaching a pervious surface.		
	Inspect as work is ongoing		
Responsible Staff:	Plant Manager / Site Contact		
DIAD Descriptions Et (4 D)	sposal		
BMP Description: Fluid Di			
Installation Schedule:	When needed		
	When needed All used fluids must be disposed of in accordance with State and Federal Laws, Regulations and recommendations. See SPCC for additional information regarding hydrocarbon handling. See MSDS for additional information regarding the fluids currently in use.		

3.5 Control Equipment/Vehicle Washing

The only vehicle washing allowed on-site is exterior washing. No engine overhaul washing liquids or parts washing liquids are allowed to mix with pervious surfaces or stormwater runoff. See the SPCC for reporting spills, if mixing or spillage has occurred.

Installation Schedule:	Immediately	
Maintenance and Inspection:	Remove sediment when the basin is 60% full. Inspect Bi monthly	
Responsible Staff:	Plant Manager / Site Contact	
RMP Description: Sumps		
THE RESERVE TO THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TWO IS NAMED IN COLUMN TW	If needed for isolation of extreme amounts of sediment	
BMP Description: Sumps Installation Schedule: Maintenance and Inspection:	If needed for isolation of extreme amounts of sediment Clean out or reclaim as soon as the sump has been used Intended to be a temporary site feature.	

3.6 Spill Prevention, Control and Management

See the facility's SPCC Plan

3.8 Non-Stormwater Discharge Management

The facility is to have no non-stormwater discharges.

Installation Schedule:	If needed	
Maintenance and Inspection:	A dust suppression system must be used on any screening and/or crushing equipment.	
Responsible Staff:	Plant Manager / Site Contact	
BMP Description: Water	Truck	
BMP Description: Water Installation Schedule:	Truck Immediately	
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		

SECTION 4: Water Supply, Adjacent Streams & Non-Point Source Pollution

4.1 Water Supply and Disposition

The eventual receiving water is Five mile Creek and

is **NOT** a **Known** (to our office at the time of plan preparation) Public Water Supply

4.2 Location of Adjacent Streams

Included with the NPDES application preceding this pollution abatement plan is a drawing which has been reproduced from the USGS quad sheet at a 1" = 3000' scale showing the adjacent streams.

4.3 Non-Point Source Pollution

By virtue of the fact that all disturbed areas are graded such that the drainage will carry yard dust to the excavated ponds, non-point sources of pollution do not result from this project. Water truck(s) will be used to help suppress the haul road dust for the project site.

SECTION 5: INSPECTIONS

5.1 Inspections

1. Inspection Personnel: Identify the person(s) who will be responsible for conducting inspections and describe their qualifications:

Responsible Official or Plant Manager or Environmental Manager

2. Inspection Schedule and Procedures:

All BMP's and discharge points must be inspected on a bi-monthly basis.

All corrections must be completed or scheduled before the next inspection. If an effluent violation is encountered all pumping must be stopped until the problem is corrected and a sample verifying compliance is taken.

See Appendix D

5.2 Delegation of Authority

Delegation of authority letters and forms should be kept with this plan. All instances of delegated authority must be from the Responsible Official and made with the company's policies and procedures.

5.3 Corrective Action Log

Corrective Action Log: See Appendix F

SECTION 6: RECORDKEEPING AND TRAINING

6.1 Recordkeeping

Records will be retained for a minimum period of at least 3 years after the permit is terminated.

6.2 Log of Changes to the PAP

Log of changes and updates to the PAP. See Appendix G

6.3 Training

Mamas Clause E Casalia

Copies of all site training should be kept with this plan. Training should be conducted by previously trained or competent individuals familiar with this site and applicable local, state and federal regulations.

SECTION 7: FINAL STABILIZATION-RECLAMATION

Reclamation should be completed so that the landowner is satisfied. The permit cannot be terminated until water quality remediation is fully achieved.

Permanent stands of vegetation are required on all erodible areas that may discharge from the property.

SECTION 8: CERTIFICATION AND NOTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

DE/DLC

Name: Steven E. Speaks	Title: PEPLS
QCP Designation Professional Engineer and	
or Description: Professional Land Surveyor	Registration/Certification: 20897
Address: 535 Herron Street	Phone Number: 334-262-1091
Montgomery, Al 36104	
Signature: Sully Consults	Date: 10-2-2017
ALABAM J.	
N.E.	
★ A REGISTERED No. 20897	
SURVE SPERMIN	

CBMPP APPENDICES

Attach the following documentation to the PAP:

Appendix A - NOI Map

Appendix B - Site Maps

Appendix C - Copy of the issued Permit from ADEM

Appendix D - Inspection Reports

Appendix E - Legal Description

Appendix F - Corrective Action Log

Appendix G - PAP Amendment Log

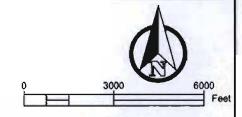
Appendix H - Training Log

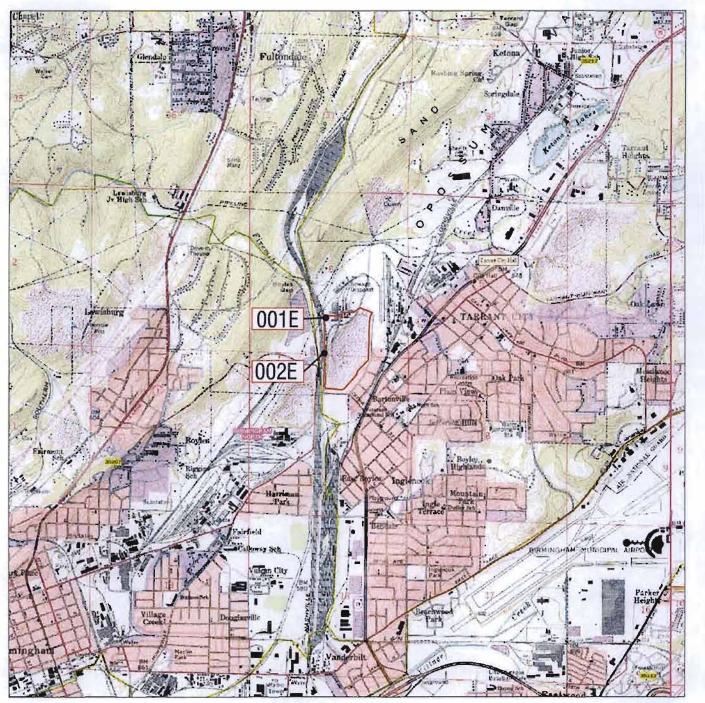
Appendix I - Delegation of Authority

Appendix J – Additional Information (i.e., Endangered Species, Historic Preservation, and U.S. Corps of Engineers Documentation)

Appendix A - NOI Map

Midsouth Paving, Inc. dba Midsouth Aggregates Tarrant Quarry Located in Section 6 & 7, T-17-S, R-2-W Birmingham North Quadrangle Jefferson County, Alabama





Point	Latitude	Longitude	
001E	33°34'55,1*	86° 47' 15.8"	
002E	33°34'42.9"	86° 47' 16.5"	

Date: 09/29/2017



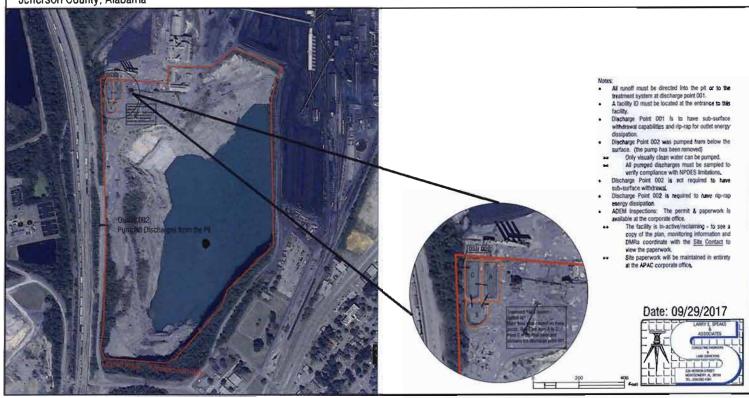
Appendix B - Site Maps

Midsouth Paving, Inc. dba Midsouth Aggregates

Tarrant Quarry
Located in Sections 6 & 7, T-17-S, R-2-W
Blimingham North\ Quadrangle
Jefferson County, Alabama

Pollution Abatement Plan Map





Appendix C - Copy of the issued Permit from ADEM

[INSERT DOCUMENTS HERE]

Appendix D - Inspection Reports

[INSERT REPORTS HERE]

Appendix E - Legal Description

[INSERT DOCUMENTS HERE]

Appendix F - Sample Corrective Action Log

Project Name: Site Manager:

Inspection Date	Inspector Name(s)	Description of BMP Deficiency	Corrective Action Needed (including planned date/responsible person)	Date Action Taken/Responsible person
10.4919 400204.20				
		-		1

Appendix G - Sample PAP Amendment Log

Project Name: Site Manger:

Amendment No.	Description of the Amendment	Date of Amendment	Amendment Prepared by [Name(s) and Title]

Appendix H – Sample PAP Training Log

Pollution Abatement Training Log

Ргојес	ct Name:						
Proje	ct Location:						
Instru	ctor's Name(s):						
Instru	ctor's Title(s):						
Cours	e Location:	Date:					
Cours	e Length (hours):	_	_				
Storm	water Training Topic: (check	as ap _i	oropriate)				
O 6	☐ Erosion Control BMPs ☐ Emergency Procedures						
	□ Sediment Control BMPs □ Good Housekeeping BMPs						
	Non-Stormwater BMPs						
Attend	dee Roster. (attach additional	pages	s as necessary)				
No.	Name of Attendee			Company			
1	A						
2							
3							
4							
5							
1 2 3 4 5 6 7							
0							
8				_			
10				_			

Appendix I – Sample Delegation of Authority Form

Delegation of Authority

	ame), hereby designate the person or specifically
compliance with environmental requiremental the	thorized representative for the purpose of overseeing nts, including ADEM Admin. Code chap. 335-6-12, at construction site. The designee is authorized
to sign any reports, stormwater pollution p the permit.	prevention plans and all other documents required by
	(name of person or position) (company)
	(address) (city, state, zip) (phone)
By signing this authorization, I co designation as set forth in ADEM Admin. C	onfirm that I meet the requirements to make such a code r. 335-6-609.
under my direction or supervision in accord personnel properly gathered and evaluate the person or persons who manage the gathering the information, the information	t this document and all attachments were prepared dance with a system designed to assure that qualified of the information submitted. Based on my inquiry of a system, or those persons directly responsible for submitted is, to the best of my knowledge and belief, that there are significant penalties for submitting false and imprisonment for knowing violations.
Name:	
Company:	
Title:	9
Signature:	
Date:	

Appendix J – Additional Information (i.e., Endangered Species, Historic Preservation, and U.S. Corps of Engineers Documentation)

[INSERT ADDITIONAL INFORMATION HERE]

RECEIVED

OCT 0 2 2017

ADEM FRONT DESK

LARRY E. SPEAKS & ASSOCIATES, INC.

Consulting Engineers & Land Surveyors 535 Herron Street MONTGOMERY, ALABAMA 36104-3321

TO: ATTEM- Mining Section attn: Michael Bergh

FIRST CLASS MAIL